

86th Congress }  
1st Session }

COMMITTEE PRINT

DOCUMENTS ON GERMANY,  
1944-1959

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BACKGROUND DOCUMENTS ON  
GERMANY, 1944-1959, AND A CHRONOLOGY OF  
POLITICAL DEVELOPMENTS AFFECTING  
BERLIN, 1945-1956



MAY 8, 1959

Printed for the use of the Senate Committee on Foreign Relations

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## FOREWORD

In the months ahead it is to be anticipated that the subject of Germany will be much in the news. Negotiations relating to Berlin and the reunification of Germany rest on a background of many statements, exchanges of views, and agreements which have taken place since the war.

With the thought that it would be helpful to bring the most important German documents together in one volume, the Department of State agreed to my request that it pull together the most important documents on Germany so that they might be published for the convenience of Members of Congress, the public, and the press. These documents have been brought together under the direction of G. Bernard Noble, Chief of the Historical Division in the Bureau of Public Affairs of the Department of State, and with the assistance of Edwin S. Costrell, Fredrick Aandal, Robert W. Lambert, Harold D. Langley, and Mrs. Helene L. De Long. Miss Mary Ann Sames of the staff of the Committee on Foreign Relations was responsible for the editorial work necessary prior to final printing.

J. W. FULBRIGHT, *Chairman.*

May 8, 1959.



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## BIBLIOGRAPHIC NOTE

Only a small percentage of the total significant documentation on Germany for the period since 1944 can be presented within a single volume of this size. Other official publications are readily available, however, which may be consulted for additional documentation. The chief of these is the weekly "Department of State Bulletin," where documents on all aspects of American foreign policy are to be found. In book form the entire range of postwar American foreign policy, through the year 1955, is covered in two general documentary collections; (1) Senate Document No. 123, 81st Congress, 1st session, "A Decade of American Foreign Policy. Basic Documents, 1941-49" (Washington, 1950), and (2) "American Foreign Policy, 1950-1955: Basic Documents" (Department of State publication 6446; two volumes, 1957).

For detailed documentation of the Yalta decisions on Germany, the reader should consult "Foreign Relation of the United States: The Conferences at Malta and Yalta, 1945" (Department of State publication 6199; 1955)<sup>1</sup> which can be supplemented by the Soviet edition of Stalin's wartime correspondence with the heads of Government of the United States and the United Kingdom—issued in English translation under the title "Stalin's Correspondence with Churchill, Attles, Roosevelt and Truman, 1941-1945" (two volumes in one; New York, 1958).

Reference may also be made to James F. Byrnes, "Speaking Frankly" (New York, 1947); Winston S. Churchill, "Triumph and Tragedy" (Boston, 1953); Lucius D. Clay, "Decision in Germany" (New York, 1950); John Foster Dulles, "War or Peace" (New York, 1950); Dwight D. Eisenhower, "Crusade in Europe" (Garden City, 1948); Edward R. Stettinius, Jr., "Roosevelt and the Russians: The Yalta Conference" (New York, 1949); and Harry S. Truman, "Memoirs" (two volumes; Garden City, 1955-56).

An especially valuable collection of documents on the German problem for the period 1945-53 was published by the Office of the United States High Commissioner for Germany, under the title "Documents on German Unity" (four volumes; Frankfurt, 1951-1953). Documents for some of these years appear also in the following Department of State publications: "The Axis in Defeat" (Department of State publication 2423; 1945); "Occupation of Germany: Policy and Progress" (publication 2783; 1947); and "Germany, 1947-49: The Story in Documents" (publication 3556; 1950). Materials on the Berlin blockade appear in "The Berlin Crisis: A Report on the Moscow Discussions" (Department of State publication 3298; 1948). The Soviet Foreign Ministry also issued a documentary collection on Berlin, entitled "The Soviet Union and the Berlin Question (Documents)" (Moscow, 1948).

<sup>1</sup> Similar volumes are being prepared by the Department of State on the Tehran, Potsdam, and other wartime conferences.

The texts of the Bonn Conventions of May 26, 1952, the European Defense Community Treaty of May 27, 1952, and other agreements signed at that time on European defense and the restoration of German sovereignty are printed in Senate Executives Q and R, 82d Congress, 2d session. The EDC Treaty and related defense agreements are also included in "American Foreign Policy." These agreements did not enter into force and were subsequently replaced by the London and Paris agreements of September-October 1954. The latter documents are published in Senate Executives L and M, 83d Congress, 2d session; "American Foreign Policy" and "London and Paris Agreements, September-October 1954" (Department of State publication 5659; 1954). The particular agreements in this group to which the United States is a party are printed also in "United States Treaties and Other International Agreements," an annual publication of the Department of State.

On the Berlin Conference of 1954 and the two Geneva Conferences of the following year, at all three of which the problems of Germany and European security were extensively discussed, the Department of State has issued the following documentary publications: "Foreign Ministers Meeting: Berlin Discussions, January 25-February 18, 1954" (Department of State publication 5399; 1954); "The Geneva Conference of Heads of Government, July 18-23, 1955" (publication 6046; 1955); and "The Geneva Meeting of Foreign Ministers, October 17-November 16, 1955" (publication 6156; 1955). Many of the documents relating to these conferences also appear in "American Foreign Policy."

## DOCUMENTS ON GERMANY 1944-1959

### *Protocol on Zones of Occupation and Administration of the "Greater Berlin" Area, September 12, 1944<sup>1</sup>*

#### PROTOCOL BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNITED KINGDOM, AND THE UNION OF SOVIET SOCIALIST REPUBLICS, ON THE ZONES OF OCCUPATION IN GERMANY AND THE ADMINISTRATION OF "GREATER BERLIN".

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics have reached the following agreement with regard to the execution of Article 11 of the Instrument of Unconditional Surrender of Germany:<sup>2</sup>—

1. Germany, within her frontiers as they were on the 31st December, 1937, will, for the purposes of occupation, be divided into three zones, one of which will be allotted to each of the three Powers, and a special Berlin area, which will be under joint occupation by the three Powers.

2. The boundaries of the three zones and of the Berlin area, and the allocation of the three zones as between the U.S.A., the U.K. and the U.S.S.R. will be as follows:—

##### *Eastern Zone (as shown on the annexed map "A")*

The territory of Germany (including the province of East Prussia) situated to the East of a line drawn from the point on Lubeck Bay where the frontiers of Schleswig-Holstein and Mecklenburg meet, along the western frontier of Mecklenburg to the frontier of the province of Hanover, thence, along the eastern frontier of Hanover, to the frontier of Brunswick; thence along the western frontier of the Prussian province of Saxony to the western frontier of Anhalt;

<sup>1</sup> Treaties and Other International Acts Series 2071. The protocol was approved by the United States on February 2, 1945, the United Kingdom, December 5, 1944, and the Soviet Union, February 8, 1945. The amendment of November 14, 1944 (*infra*) allocated the north-western parts of Germany and Greater Berlin to the United Kingdom, established the Bremen enclave for the United States, and assigned the south-western part of Germany and the southern part of Berlin to the United States. In accordance with the Yalta Agreement (*infra*), this protocol was further amended on July 26, 1945 to provide for French occupation zones, both in Germany and in Greater Berlin (*infra*).

<sup>2</sup> I.e. the draft surrender terms agreed upon in the European Advisory Commission on July 25, 1944. The text of this draft instrument appears in *Foreign Relations of the United States: The Conference at Malta and Yalta, 1945*, pp. 113-117. Article 11 read as follows: "The Allied Representatives will station forces and civil agencies in any or all parts of Germany as they may determine." The draft instrument (amended on May 1, 1945 to include France) was not used when Germany actually surrendered but was incorporated in large part into the Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority by the Allied Powers, June 5, 1945 (*infra*).

thence along the western frontier of Anhalt; thence along the western frontier of the Prussian province of Saxony and the western frontier of Thuringia to where the latter meets the Bavarian frontier; then eastwards along the northern frontier of Bavaria to the 1937 Czechoslovakian frontier, will be occupied by armed forces of the U.S.S.R., with the exception of the Berlin area, for which a special system of occupation is provided below.

*North-Western Zone (as shown on the annexed map "A")*

The territory of Germany situated to the west of the line defined above, and bounded on the south by a line drawn from the point where the western frontier of Thuringia meets the frontier of Bavaria; thence westwards along the southern frontiers of the Prussian provinces of Hessen-Nassau and Rheinprovinz to where the latter meets the frontier of France will be occupied by armed forces of \* \* \*

*South-Western Zone (as shown on the annexed map "A")*

All the remaining territory of Western Germany situated to the south of the line defined in the description of the North-Western Zone will be occupied by armed forces of \* \* \*

The frontiers of States (*Länder*) and Provinces within Germany, referred to in the foregoing descriptions of the zones, are those which existed after the coming into effect of the decree of 25th June, 1941 (published in the Reichsgesetzblatt, Part I, No. 72, 3rd July, 1941).

*Berlin Area (as shown on the annexed 4 sheets of map "B")*

The Berlin area (by which expression is understood the territory of "Greater Berlin" as defined by the Law of the 27th April, 1920) will be jointly occupied by armed forces of the U.S.A., U.K., and U.S.S.R., assigned by the respective Commanders-in-Chief. For this purpose the territory of "Greater Berlin" will be divided into the following three parts.—

*North-Eastern part of "Greater Berlin"* (districts of Pankow, Prenzlauerberg, Mitte, Weissensee, Friedrichshain, Lichtenberg, Treptow, Kopenick) will be occupied by the forces of the U.S.S.R. \*

*North Western part of "Greater Berlin"* (districts of Reinickendorf, Wedding, Tiergarten, Charlottenburg, Spandau, Wilmersdorf) will be occupied by the forces of \* \* \*

*Southern part of "Greater Berlin"* (districts of Zehlendorf, Steglitz, Schöneberg, Kreuzberg, Tempelhof, Neukölln) will be occupied by the forces of \* \* \*

The boundaries of districts within "Greater Berlin", referred to in the foregoing descriptions, are those which existed after the coming into effect of the decree published on 27th March, 1938 (Amtsblatt der Reichshauptstadt Berlin No. 13 of 27th March, 1938, page 215).

3. The occupying forces in each of the three zones into which Germany is divided will be under a Commander-in-Chief designated by the Government of the country whose forces occupy that zone.

4. Each of the three Powers may, at its discretion, include among the forces assigned to occupation duties under the command of its Commander-in-Chief, auxiliary contingents from the forces of any other Allied Power which has participated in military operations against Germany.

5. An Inter-Allied Governing Authority (Komendatura) consisting of three Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly the administration of the "Greater Berlin" Area.

6. This Protocol has been drawn up in triplicate in the English and Russian languages. Both texts are authentic. The Protocol will come into force on the signature by Germany of the Instrument of Unconditional Surrender.

---

The above text of the Protocol between the Governments of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics, on the zones of occupation in Germany and the administration of "Greater Berlin" has been prepared and unanimously adopted by the European Advisory Commission at a meeting held on 12th September, 1944, with the exception of the allocation of the North-Western and South-Western zones of occupation in Germany and the North-Western and Southern parts of "Greater Berlin", which requires further consideration and joint agreement by the Governments of the U.S.A., U.K. and U.S.S.R.

Representative of the Government of the U.S.A. on the European Advisory Commission:

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JOHN G. WINANT

LANCASTER HOUSE,  
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12th September, 1944.

Representative of the Government of the U.K. on the European Advisory Commission:

W. Strang  
WILLIAM STRANG

Representative of the Government of the U.S.S.R. on the European Advisory Commission:

F. T. Gousov  
F. T. GOUSOV

### *Amending Agreement on Zones of Occupation and Administration of the "Greater Berlin" Area, November 14, 1944<sup>1</sup>*

#### AGREEMENT REGARDING AMENDMENTS TO THE PROTOCAL OF 12TH SEPTEMBER, 1944, BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNITED KINGDOM AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE ZONES OF OCCUPATION IN GERMANY AND THE ADMINISTRATION OF "GREATER BERLIN".

1. In place of the description of the North-Western Zone given in paragraph 2 of the above-mentioned Protocol, the description of the North Western Zone will read as follows —

<sup>1</sup>Treaties and Other International Acts Series 3071. This agreement, which amended the protocol of September 12, 1944 (*supra*), was approved by the United Kingdom on December 5, 1944; the United States, February 2, 1945; and the Soviet Union, February 6, 1945. In accordance with the Yalta Agreement (*infra*), the protocol was further amended on July 26, 1945 to provide for French occupation zones, both in Germany and in Greater Berlin (*infra*).

*"North-Western Zone (as shown on the annexed map "C")*

The territory of Germany situated to the west of the line defined in the description of the Eastern zone, and bounded on the south by a line drawn from the point where the frontier between the Prussian provinces of Hanover and Hessen-Nassau meets the western frontier of the Prussian province of Saxony; thence along the southern frontier of Hanover; thence along the northwestern, western and southern frontiers of Hessen-Hassau to the point where the River Rhine leaves the latter; thence along the center of the navigable channel of the River Rhine to the point where it leaves Hessen-Darmstadt; thence along the western frontier of Baden to the point where this frontier becomes the Franco-German frontier will be occupied by armed forces of the United Kingdom."

2. In place of the description of the South-Western Zone given in paragraph 2 of the above-mentioned Protocol, the description of the South-Western Zone will read as follows:—

*"South-Western Zone (as shown on the annexed map "C")*

The territory of Germany situated to the south of a line commencing at the junction of the frontiers of Saxony, Bavaria, and Czechoslovakia and extending westward along the northern frontier of Bavaria to the junction of the frontiers of Hessen Nassau, Thuringia and Bavaria; thence north, west and south along the eastern, northern, western and southern frontiers of Hessen-Nassau to the point where the River Rhine leaves the southern frontier of Hessen-Nassau; thence southwards along the center of the navigable channel of the River Rhine to the point where it leaves Hessen-Darmstadt; thence along the western frontier of Baden to the point where this frontier becomes the Franco-German frontier will be occupied by armed forces of the United States of America."

3. The following additional paragraph will be inserted after the description of the South-Western Zone:—

"For the purpose of facilitating communications between the South-Western Zone and the sea, the Commander-in-Chief of the United States forces in the South Western Zone will

(a) exercise such control of the ports of Bremen and Bremerhaven and the necessary staging areas in the vicinity thereof as may be agreed hereafter by the United Kingdom and United States military authorities to be necessary to meet his requirements;

(b) enjoy such transit facilities through the North-Western Zone as may be agreed hereafter by the United Kingdom and United States military authorities to be necessary to meet his requirements."

4. At the end of the description of the North Western part of "Greater Berlin" given in paragraph 2 of the above-mentioned Protocol, insert the following words:

"the United Kingdom"

5. At the end of the description of the Southern part of "Greater Berlin" given in paragraph 2 of the above-mentioned Protocol, insert the following words:-

"the United States of America"

6. In the English text of the sub-paragraph in paragraph 2 of the above-mentioned Protocol beginning with the words "The frontiers of States (Lander) and Provinces," the words "descriptions to the zones" will read "descriptions of the zones."

The above text of the Agreement regarding Amendments to the Protocol of 12th September, 1944, between the Governments of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics on the zones of occupation in Germany and the administration of "Greater Berlin" has been prepared and unanimously adopted by the European Advisory Commission at a meeting held on the 14th November, 1944.

For the Representative  
of the Government of  
the United States of  
America on the Euro-  
pean Advisory Com-  
mission:

PHILIP E. MOSELY

LANCASTER HOUSE,  
LONDON, S. W. 1.

14th November, 1944.

Representative of the  
Government of the  
United Kingdom on  
the European Advi-  
sory Commission:

WILLIAM STRANG

Representative of the  
Government of the  
Union of Soviet So-  
cialist Republics on  
the European Advi-  
sory Commission:

H T GOUSEV

### *Agreement on Control Machinery in Germany, November 14, 1944<sup>1</sup>*

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics have reached the following Agreement with regard to the organisation of the Allied control machinery in Germany in the period during which Germany will be carrying out the basic requirements of unconditional surrender:-

#### ARTICLE 1.

Supreme authority in Germany will be exercised, on instructions from their respective Governments, by the Commanders-in-Chief of the armed forces of the United States of America, the United King-

<sup>1</sup> Treaties and Other International Acts Series 3070. Approved by the United States on January 24, 1945, the Soviet Union, February 6, 1945, and the United Kingdom December 5, 1944. This agreement was amended May 1, 1945 to provide for the participation of France (see *infra*).

dom and the Union of Soviet Socialist Republics, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole, in their capacity as members of the supreme organ of control constituted under the present Agreement.

#### ARTICLE 2.

Each Commander-in-Chief in his zone of occupation will have attached to him military, naval and air representatives of the other two Commanders-in-Chief for liaison duties.

#### ARTICLE 3.

(a) The three Commanders-in-Chief, acting together as a body, will constitute a supreme organ of control called the Control Council.

(b) The functions of the Control Council will be:—

(i) to ensure appropriate uniformity of action by the Commanders-in-Chief in their respective zones of occupation;

(ii) to initiate plans and reach agreed decisions on the chief military, political, economic and other questions affecting Germany as a whole, on the basis of instructions received by each Commander-in-Chief from his Government;

(iii) to control the German central administration, which will operate under the direction of the Control Council and will be responsible to it for ensuring compliance with its demands;

(iv) to direct the administration of "Greater Berlin" through appropriate organs.

(c) The Control Council will meet at least once in ten days; and it will meet at any time upon request of any one of its members. Decisions of the Control Council shall be unanimous. The chairmanship of the Control Council will be held in rotation by each of its three members.

(d) Each member of the Control Council will be assisted by a political adviser, who will, when necessary, attend meetings of the Control Council. Each member of the Control Council may also, when necessary, be assisted at meetings of the Council by naval or air advisers.

#### ARTICLE 4.

A permanent Co-ordinating Committee will be established under the Control Council, composed of one representative of each of the three Commanders-in-Chief, not below the rank of General Officer or the equivalent rank in the naval or air forces. Members of the Co-ordinating Committee will, when necessary, attend meetings of the Control Council.

#### ARTICLE 5.

The duties of the Co-ordinating Committee, acting on behalf of the Control Council and through the Control Staff, will include:

(a) the carrying out of the decisions of the Control Council;

(b) the day-to-day supervision and control of the activities of the German central administration and institutions;

(c) the co-ordination of current problems which call for uniform measures in all three zones;

(d) the preliminary examination and preparation for the Control Council of all questions submitted by individual Commanders-in-Chief.

#### ARTICLE 6.

(a) The members of the Control Staff, appointed by their respective national authorities, will be organized in the following Divisions:—

Military; Naval; Air; Transport, Political; Economic; Finance; Reparation, Deliveries and Restitution; Internal Affairs and Communications; Legal; Prisoners of War and Displaced Persons; Man-power.

Adjustments in the number and functions of the Divisions may be made in the light of experience.

(b) At the head of each Division there will be three high-ranking officials, one from each Power. The duties of the three heads of each Division, acting jointly, will include:—

(i) exercising control over the corresponding German Ministries and German central institutions;

(ii) acting as advisers to the Control Council and, when necessary, attending meetings thereof;

(iii) transmitting to the German central administration the decisions of the Control Council, communicated through the Co-ordinating Committee.

(c) The three heads of a Division will take part in meetings of the Co-ordinating Committee at which matters affecting the work of their Division are on the agenda.

(d) The staffs of the Divisions may include civilian as well as military personnel. They may also, in special cases, include nationals of other United Nations, appointed in their personal capacity.

#### ARTICLE 7.

(a) An Inter-Allied Governing Authority (Komendatura) consisting of three Commandants, one from each Power, appointed by their respective Commanders-in-chief, will be established in direct jointly the administration of the "Greater Berlin" area. Each of the Commandants will serve in rotation, in the position of Chief Commandant, as head of the Inter-Allied Governing Authority.

(b) A Technical Staff, consisting of personnel of each of the three Powers, will be established under the Inter-Allied Governing Authority, and will be organised to serve the purpose of supervising and controlling the activities of the local organs of "Greater Berlin" which are responsible for its municipal services.

(c) The Inter-Allied Governing Authority will operate under the general direction of the Control Council and will receive orders through the Co-ordinating Committee.

#### ARTICLE 8.

The necessary liaison with the Governments of other United Nations chiefly interested will be ensured by the appointment of such Governments of military missions (which may include civilian members) to

the Control Council, having access, through the appropriate channels, to the organs of control.

#### ARTICLE 9.

United Nations' organisations which may be admitted by the Control Council to operate in Germany will, in respect of their activities in Germany, be subordinate to the Allied control machinery and answerable to it.

#### ARTICLE 10.

The Allied organs for the control and administration of Germany outlined above will operate during the initial period of the occupation of Germany immediately following surrender, that is, the period when Germany is carrying out the basic requirements of unconditional surrender.

#### ARTICLE 11.

The question of the Allied organs required for carrying out the functions of control and administration in Germany in a later period will be the subject of a separate Agreement between the Governments of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics.

The above text of the Agreement on Control Machinery in Germany between the Governments of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics has been prepared and unanimously adopted by the Representatives of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics on the European Advisory Commission at a meeting held on 14th November, 1944, and is now submitted to their respective Governments for approval.

For the Representative  
of the Government of  
The United States of  
America on the Euro-  
pean Advisory Com-  
mission'

PHILIP E. MOSELEY

LANCASTER HOUSE,  
LONDON, S.W. 1.

14th November, 1944.

Representative of the  
Government of the  
United Kingdom on  
The European Ad-  
visory Commission:

WILLIAM STRANG

Representative of the  
Government of the  
Union of Soviet So-  
cialist Republics on  
the European Advi-  
sory Commission:

F T GOUSEY

#### *Protocol of the Proceedings of the Crimea (Yalta) Conference, February 11, 1945<sup>1</sup>*

[Extracts]

#### III. DISMEMBERMENT OF GERMANY

It was agreed that Article 12 (a) of the Surrender Terms for Germany should be amended to read as follows:

"The United Kingdom, the United States of America and the Union of Soviet Socialist Republics shall possess supreme au-

<sup>1</sup> Department of State press release 239, March 24, 1947.

thority with respect to Germany. In the exercise of such authority they will take such steps, including the complete disarmament, demilitarisation and dismemberment of Germany as they deem requisite for future peace and security."

The study of the procedure for the dismemberment of Germany was referred to a Committee, consisting of Mr. Eden (Chairman), Mr. Winant and Mr. Gousev. This body would consider the desirability of associating with it a French representative.

#### IV. ZONE OF OCCUPATION FOR THE FRENCH AND CONTROL COUNCIL FOR GERMANY

It was agreed that a zone in Germany, to be occupied by the French Forces, should be allocated to France. This zone would be formed out of the British and American zones and its extent would be settled by the British and Americans in consultation with the French Provisional Government.

It was also agreed that the French Provisional Government should be invited to become a member of the Allied Control Council for Germany.

#### V. PREPARATION

The following protocol has been approved :

#### PROTOCOL ON THE TALKS BETWEEN THE HEADS OF THE THREE GOVERNMENTS AT THE CRIMEAN CONFERENCE ON THE QUESTION OF THE GERMAN REPARATION IN KIND

1. Germany must pay in kind for the losses caused by her to the Allied nations in the course of the war. Reparations are to be received in the first instance by those countries which have borne the main burden of the war, have suffered the heaviest losses and have organised victory over the enemy.

2. Reparation in kind is to be exacted from Germany in three following forms:

a) Removals within 2 years from the surrender of Germany or the cessation of organised resistance from the national wealth of Germany located on the territory of Germany herself as well as outside her territory (equipment, machine-tools, ships, rolling stock, Germany investments abroad, shares of industrial, transport and other enterprises in Germany etc.), these removals to be carried out chiefly for purpose of destroying the war potential of Germany

b) Annual deliveries of goods from current production for a period to be fixed.

c) Use of German labour.

3. For the working out on the above principles of a detailed plan for exaction of reparation from Germany an Allied Reparation Commission will be set up in Moscow. It will consist of three representatives—one from the Union of Soviet Socialist

Republics, one from the United Kingdom and one from the United States of America.

4. With regard to the fixing of the total sum of the reparation as well as the distribution of it among the countries which suffered from the German aggression the Soviet and American delegations agreed as follows:

"The Moscow Reparation Commission should take in its initial studies as a basis for discussion the suggestion of the Soviet Government that the total sum of the reparation in accordance with the points (a) and (b) of the paragraph 2 should be 20 billion dollars and that 50% of it should go to the Union of Soviet Socialist Republics."

The British delegation was of the opinion that pending consideration of the reparation question by the Moscow Reparation Commission no figures of reparation should be mentioned.

The above Soviet-American proposal has been passed to the Moscow Reparation Commission as one of the proposals to be considered by the Commission.

## VI. MAJOR WAR CRIMINALS

The Conference agreed that the question of the major war criminals should be the subject of enquiry by the three Foreign Secretaries for report in due course after the close of the Conference.

\* \* \* \* \*

The foregoing Protocol was approved and signed by the three Foreign Secretaries at the Crimean Conference, February 11, 1945.

E. R. STETTINIUS, Jr.

M. MOLOTOV.

ANTHONY EDEN.

## *Amending Agreement on Control Machinery in Germany, May 1, 1945<sup>1</sup>*

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC REGARDING AMENDMENTS TO THE AGREEMENT OF THE 14TH NOVEMBER, 1944 ON CONTROL MACHINERY IN GERMANY.

### I.

In the preamble add "the Provisional Government of the French Republic" to the names of the three Governments.

<sup>1</sup>Treaties and Other International Acts Series 3070. This agreement amended the agreement of November 14, 1944 (*supra*) to provide for the participation of France. It was approved by the United States on May 14, 1945; the United Kingdom, May 17, 1945; France, May 18, 1945; and the Soviet Union, May 25, 1945.

## II.

In Article 1 add "the French Republic" to the names of the three Powers.

## III.

In Article 2 substitute "three" for "two" before the word "Commanders-in-Chief".

## IV.

In Article 3(a) substitute "four" for "three" before the word "Commanders-in-Chief".

## V.

In the last sentence of Article 3(c) substitute "four" for "three" before the word "members".

## VI.

In the first sentence of Article 4 substitute "four" for "three" before the word "Commanders-in-Chief".

## VII.

In Article 5(c) substitute "four" for "three" before the word "zones".

## VIII.

In Article 6(b) substitute "four" for "three" before the words "high-ranking officials" and before the words "heads of each Division".

## IX.

In Article 6(c) substitute "four" for "three" before the words "heads of a Division".

## X.

In the first sentence of Article 7(a) substitute "four" for "three" before the word "Commandants".

## XI.

In Article 7(b) substitute "four" for "three" before the word "Powers".

## XII.

In Article 11 add "the Provisional Government of the French Republic" to the names of the three Governments.

The above text of the Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic regarding Amendments to the Agreement of the 14th November, 1944 on Control Machinery in Germany has been prepared

and unanimously adopted by the European Advisory Commission at a meeting held on 1st May, 1945.

Representative of the Government of the United States of America on the European Advisory Commission.	Representative of the Government of the Union of Soviet Socialist Republics on the European Advisory Commission:	Representative of the Government of the United Kingdom on the European Advisory Commission:	Representative of the Provisional Government of the French Republic on the European Advisory Commission.
JOHN G. WINANT	F T GOOSBY	WILLIAM STRANG	MASSIGLI

LANCASTER HOUSE, LONDON, S.W. 1.

1st May, 1945.

*German Act of Surrender, May 8, 1945<sup>1</sup>*

1. We the undersigned, acting by authority of the German High Command, hereby surrender unconditionally to the Supreme Commander, Allied Expeditionary Force and simultaneously to the Supreme High Command of the Red Army all forces on land, at sea, and in the air who are at this date under German control.

2. The German High Command will at once issue orders to all German military, naval and air authorities and to all forces under German control to cease active operations at 2301 hours Central European time on 8th May 1945, to remain in the positions occupied at that time and to disarm completely, handing over their weapons and equipment to the local allied commanders or officers designated by Representatives of the Allied Supreme Commands. No ship, vessel, or aircraft is to be scuttled, or any damage done to their hull, machinery or equipment, and also to machines of all kinds, armament, apparatus, and all the technical means of prosecution of war in general.

3. The German High Command will at once issue to the appropriate commanders, and ensure the carrying out of any further orders issued by the Supreme Commander, Allied Expeditionary Force and by the Supreme High Command of the Red Army.

4. This act of military surrender is without prejudice to, and will be superseded by any general instrument of surrender imposed by, or on behalf of the United Nations and applicable to GERMANY and the German armed forces as a whole.

5. In the event of the German High Command or any of the forces under their control failing to act in accordance with this Act of Surrender, the Supreme Commander, Allied Expeditionary Force and the Supreme High Command of the Red Army will take such punitive or other action as they deem appropriate.

6. This Act is drawn up in the English, Russian and German languages. The English and Russian are the only authentic texts.

Signed at Berlin on the 8 day of May, 1945

FRIEDEBURG	KETTEL	STUMPF
On behalf of the German High Command		

<sup>1</sup> *A Decade of American Foreign Policy*, pp. 505-506.

In the presence of:

On behalf of the  
Supreme Commander  
Allied Expeditionary Force  
A W TEDDER

On behalf of the  
Supreme High Command  
of the Red Army  
G ZHUKOV

At the signing also were present as witnesses:

F. DE LATTRE-TASSIGNY  
General Commanding in Chief  
First French Army

CARL SPAATZ  
General, Commanding United  
States Strategic Air Forces

*Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority by the Allied Powers, June 5, 1945<sup>1</sup>*

The German Armed Forces on land, at sea and in the air have been completely defeated and have surrendered unconditionally and Germany, which bears responsibility for the war, is no longer capable of resisting the will of the victorious Powers. The unconditional surrender of Germany has thereby been effected, and Germany has become subject to such requirements as may now or hereafter be imposed upon her.

There is no central Government or authority in Germany capable of accepting responsibility for the maintenance of order, the administration of the country and compliance with the requirements of the victorious Powers.

It is in these circumstances necessary, without prejudice to any subsequent decisions that may be taken respecting Germany, to make provision for the cessation of any further hostilities on the part of the German armed forces, for the maintenance of order in Germany and for the administration of the country, and to announce the immediate requirements with which Germany must comply.

The Representatives of the Supreme Commands of the United States of America, the Union of Soviet Socialist Republics, the United Kingdom and the French Republic, hereinafter called the "Allied Representatives," acting by authority of their respective Governments and the interests of the United Nations, accordingly make the following Declaration:—

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, hereby assume supreme authority with respect to Germany, including all the powers possessed by the German Government, the High Command and any state, municipal, or local government or authority. The assumption, for the purposes stated above, of the said authority and powers does not effect the annexation of Germany.

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, will hereafter determine

<sup>1</sup> Senate Document No. 123, 81st Congress, 1st Session, *A Decade of American Foreign Policy. Basic Documents* (Washington, 1950), pp. 506-511.

the boundaries of Germany or any part thereof and the status of Germany or of any area at present being part of German territory.

In virtue of the supreme authority and powers thus assumed by the four Governments, the Allied Representatives announce the following requirements arising from the complete defeat and unconditional surrender of Germany with which Germany must comply:—

#### ARTICLE 1.

Germany, and all German military, naval and air authorities and all forces under German control shall immediately cease hostilities in all theatres of war against the forces of the United Nations on land, at sea and in the air.

#### ARTICLE 2.

(a) All armed forces of Germany or under German control, wherever they may be situated, including land, air, anti-aircraft and naval forces, the S.S., S.A. and Gestapo, and all other forces of auxiliary organizations equipped with weapons, shall be completely disarmed, handing over their weapons and equipment to local Allied Commanders or to officers designated by the Allied Representatives.

(b) The personnel of the formations and units of all the forces referred to in paragraph (a) above shall, at the discretion of the Commander-in-Chief of the Armed Forces of the Allied State concerned, be declared to be prisoners of war, pending further decisions, and shall be subject to such conditions and directions as may be prescribed by the respective Allied Representatives.

(c) All forces referred to in paragraph (a) above, wherever they may be, will remain in their present positions pending instructions from the Allied Representatives.

(d) Evacuation by the said forces of all territories outside the frontiers of Germany as they existed on the 31st December, 1937, will proceed according to instructions to be given by the Allied Representatives.

(e) Detachments of civil police to be armed with small arms only, for the maintenance of order and for guard duties, will be designated by the Allied Representatives.

#### ARTICLE 3.

(a) All aircraft of any kind or nationality in Germany or German-occupied or controlled territories or waters, military, naval or civil, other than aircraft in the service of the Allies, will remain on the ground, on the water or aboard ships pending further instructions.

(b) All German or German-controlled aircraft in or over territories or waters not occupied or controlled by Germany will proceed to Germany or to such other place or places as may be specified by the Allied Representatives.

#### ARTICLE 4.

(a) All German or German-controlled naval vessels, surface and submarine, auxiliary naval craft, and merchant and other shipping, wherever such vessels may be at the time of this Declaration, and

all other merchant ships of whatever nationality in German ports, will remain in or proceed immediately to ports and bases as specified by the Allied Representatives. The crews of such vessels will remain on board pending further instructions.

(b) All ships and vessels of the United Nations, whether or not title has been transferred as the result of prize court or other proceedings, which are at the disposal of Germany or under German control at the time of this Declaration, will proceed at the dates and to the ports and bases specified by the Allied Representatives.

#### ARTICLE 5.

(a) All or any of the following articles in the possession of the German armed forces or under German control or at German disposal will be held intact and in good condition at the disposal of the Allied Representatives, for such purposes and at such times and places as they may prescribe:—

(i) all arms, ammunition, explosives, military equipment, stores and supplies and other implements of war of all kinds and all other war materials;

(ii) all naval vessels of all classes, both surface and submarine auxiliary naval craft and all merchant shipping, whether afloat, under repair or construction, built or building;

(iii) all aircraft of all kinds, aviation and antiaircraft equipment and devices;

(iv) all transportation and communications facilities and equipment, by land, water or air;

(v) all military installations and establishments, including air-fields, seaplane bases, ports and naval bases, storage depots, permanent and temporary land and coast fortifications, fortresses and other fortified areas, together with plans and drawings of all such fortifications, installations and establishments;

(vi) all factories, plants, shops, research institutions, laboratories, testing stations, technical data, patents, plans, drawings and inventions, designed or intended to produce or to facilitate the production or use of the articles, materials, and facilities referred to in sub-paragraphs (i), (ii), (iii), (iv) and (v) above or otherwise to further the conduct of war.

(b) At the demand of the Allied Representatives the following will be furnished:—

(i) the labour, services and plant required for the maintenance or operation of any of the six categories mentioned in paragraph (a) above; and

(ii) any information or records that may be required by the Allied Representatives in connection with the same.

(c) At the demand of the Allied Representatives all facilities will be provided for the movement of Allied troops and agencies, their equipment and supplies, on the railways, roads and other land communications or by sea, river or air. All means of transportation will be maintained in good order and repair, and the labour, services and plant necessary therefor will be furnished.

**ARTICLE 6.**

(a) The German authorities will release to the Allied Representatives, in accordance with the procedure to be laid down by them, all prisoners of war at present in their power, belonging to the forces of the United Nations, and will furnish full lists of these persons, indicating the places of their detention in Germany or territory occupied by Germany. Pending the release of such prisoners of war, the German authorities and people will protect them in their persons and property and provide them with adequate food, clothing, shelter, medical attention and money in accordance with their rank or official position.

(b) The German authorities and people will in like manner provide for and release all other nationals of the United Nations who are confined, interned or otherwise under restraint, and all other persons who may be confined, interned or otherwise under restraint for political reasons or as a result of any Nazi action, law or regulation which discriminates on the ground of race, colour, creed or political belief.

(c) The German authorities will, at the demand of the Allied Representatives, hand over control of places of detention to such officers as may be designated for the purpose by the Allied Representatives.

**ARTICLE 7.**

The German authorities concerned will furnish to the Allied Representatives:—

(a) full information regarding the forces referred to in Article 2 (a), and, in particular, will furnish forthwith all information which the Allied Representatives may require concerning the numbers, locations and dispositions of such forces, whether located inside or outside of Germany;

(b) complete and detailed information concerning mines, minefields and other obstacles to movement by land, sea or air, and the safety lanes in connection therewith. All such safety lanes will be kept open and clearly marked; all mines, minefields and other dangerous obstacles will as far as possible be rendered safe, and all aids to navigation will be reinstated. Unarmed German military and civilian personnel with the necessary equipment will be made available and utilised for the above purposes and for the removal of mines, minefields and other obstacles as directed by the Allied Representatives.

**ARTICLE 8.**

There shall be no destruction, removal, concealment, transfer or scuttling of, or damage to, any military, naval, air, shipping, port, industrial and other like property and facilities and all records and archives, wherever they may be situated, except as may be directed by the Allied Representatives.

**ARTICLE 9.**

Pending the institution of control by the Allied Representatives over all means of communication, all radio and telecommunication

installations and other forms of wire or wireless communications, whether ashore or afloat, under German control, will cease transmission except as directed by the Allied Representatives.

#### ARTICLE 10.

The forces, ships, aircraft, military equipment, and other property in Germany or in German control or service or at German disposal, of any other country at war with any of the Allies, will be subject to the provisions of this Declaration and of any proclamations, orders, ordinances or instructions issued thereunder.

#### ARTICLE 11.

(a) The principal Nazi leaders as specified by the Allied Representatives, and all persons from time to time named or designated by rank, office or employment by the Allied Representatives as being suspected of having committed, ordered or abetted war crimes or analogous offences, will be apprehended and surrendered to the Allied Representatives.

(b) The same will apply in the case of any national of any of the United Nations who is alleged to have committed an offence against his national law, and who may at any time be named or designated by rank, office or employment by the Allied Representatives.

(c) The German authorities and people will comply with any instructions given by the Allied Representatives for the apprehension and surrender of such persons.

#### ARTICLE 12.

The Allied Representatives will station forces and civil agencies in any or all parts of Germany as they may determine.

#### ARTICLE 13.

(a) In the exercise of the supreme authority with respect to Germany assumed by the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, the four Allied Governments will take such steps, including the complete disarmament and demilitarisation of Germany, as they deem requisite for future peace and security.

(b) The Allied Representatives will impose on Germany additional political, administrative, economic, financial, military and other requirements arising from the complete defeat of Germany. The Allied Representatives, or persons or agencies duly designated to act on their authority, will issue proclamations, orders, ordinances and instructions for the purpose of laying down such additional requirements, and of giving effect to the other provisions of this Declaration. All German authorities and the German people shall carry out unconditionally the requirements of the Allied Representatives, and shall fully comply with all such proclamations, orders, ordinances and instructions.

## ARTICLE 14.

This Declaration enters into force and effect at the date and hour set forth below. In the event of failure on the part of the German authorities or people promptly and completely to fulfil their obligations hereby or hereafter imposed, the Allied Representatives will take whatever action may be deemed by them to be appropriate under the circumstances.

## ARTICLE 15.

This Declaration is drawn up in the English, Russian, French and German languages. The English, Russian and French are the only authentic texts.

BERLIN, GERMANY

June 5, 1945<sup>1</sup>

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*Allied Statement on Zones of Occupation in Germany, June 5, 1945<sup>2</sup>*

1. Germany, within her frontiers as they were on 31st December, 1937, will, for the purposes of occupation, be divided into four zones, one to be allotted to each Power as follows:

an eastern zone to the Union of Soviet Socialist Republics;

a north-western zone to the United Kingdom;

a south-western zone to the United States of America;

a western zone to France.

The occupying forces in each zone will be under a Commander-in-Chief designated by the responsible Power. Each of the four Powers may, at its discretion, include among the forces assigned to occupation duties under the command of its Commander in-Chief, auxiliary contingents from the forces of any other Allied Power which has actively participated in military operations against Germany.

2. The area of "Greater Berlin" will be occupied by forces of each of the four Powers. An Inter-Allied Governing Authority (in Russian, Komendatura) consisting of four Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly its administration.

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*Allied Statement on Control Machinery in Germany, June 5, 1945<sup>3</sup>*

1. In the period when Germany is carrying out the basic requirements of unconditional surrender, supreme authority in Germany will be exercised, on instructions from their Governments, by the Soviet, British, United States, and French Commanders-in-Chief, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole. The four Commanders-in Chief will together constitute the Control Council. Each Commander-in-Chief will be assisted by a political adviser.

<sup>1</sup> Signed at 1800 hours, Berlin time, by Dwight D. Eisenhower, General of the Army, USA; Zhukov, Marshal of the Soviet Union, B. L. Montgomery, Field Marshal, Great Britain; De Lattre de Tassigny, Général d'Armée, French Provisional Government. [Footnote in original.]

<sup>2</sup> Senate Document No. 128, 81st Congress, 1st session, *A Decade of American Foreign Policy Basic Documents* (Washington, 1950), p. 512.

<sup>3</sup> *Ibid.*, pp. 512-513.



2. The Control Council, whose decisions shall be unanimous, will ensure appropriate uniformity of action by the Commanders-in-Chief in their respective zones of occupation and will reach agreed decisions on the chief questions affecting Germany as a whole.

3. Under the Control Council, there will be a permanent Co-ordinating Committee composed of one representative of each of the four Commanders-in-Chief and a Control Staff organised in the following Divisions (which are subject to adjustment in the light of experience) :

Military; Naval; Air; Transport; Political; Economic; Finance; Reparation, Deliveries and Restitution; Internal Affairs and Communications; Legal; Prisoners of War and Displaced Persons; Man-power.

There will be four heads of each Division, one designated by each Power. The staffs of the Divisions may include civilian as well as military personnel, and may also in special cases include nationals of other United Nations appointed in a personal capacity.

4. The functions of the Coordinating Committee and of the Control Staff will be to advise the Control Council, to carry out the Council's decisions and to transmit them to appropriate German organs, and to supervise and control the day-to-day activities of the latter.

5. Liaison with the other United Nations Governments chiefly interested will be established through the appointment by such Governments of military missions (which may include civilian members) to the Control Council. These missions will have access through the appropriate channels to the organs of control.

6. United Nations organisations will, if admitted by the Control Council to operate in Germany, be subordinate to the Allied control machinery and answerable to it.

7. The administration of the "Greater Berlin" area will be directed by an Inter-Allied Governing Authority, which will operate under the general direction of the Control Council, and will consist of four Commandants, each of whom will serve in rotation as Chief Commandant. They will be assisted by a technical staff which will supervise and control the activities of the local German organs.

8. The arrangements outlined above will operate during the period of occupation following German surrender, when Germany is carrying out the basic requirements of unconditional surrender. Arrangements for the subsequent period will be the subject of a separate agreement.

*Amending Agreement on Zones of Occupation and Administration  
of the "Greater Berlin" Area, July 26, 1945<sup>1</sup>*

AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM AND THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC REGARDING AMENDMENTS TO THE PROTOCOL OF 12TH SEPTEMBER, 1944, ON THE ZONES OF OCCUPATION IN GERMANY AND THE ADMINISTRATION OF "GREATER BERLIN".

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom having, pursuant to the decision of the Crimea Conference announced on 12th February, 1945, invited the Provisional Government of the French Republic to take part in the occupation of Germany,

the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic have agreed to amend and to supplement the Protocol of 12th September, 1944, between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom on the zones of occupation in Germany and the administration of "Greater Berlin",

and have reached the following agreement:

1. In the Preamble of the Protocol of 12th September, 1944, add the words "and the Provisional Government of the French Republic" in the enumeration of the participating Governments.
2. In Article 1 of the above-mentioned Protocol, substitute "four" for "three" in the words "three zones", "three Powers" and "three Powers".
3. In the first paragraph of Article 2 of the above-mentioned Protocol, add "and the French Republic" in the enumeration of the participating Powers; substitute "four" for "three" in the words "three zones" and "three zones".
4. In place of the description of the North-Western Zone given in Article 2 of the above mentioned Protocol, the description of the North-Western Zone will read as follows;

*"North-Western (United Kingdom) Zone (as shown on the annexed map "D").*

The territory of Germany situated to west of the line defined in the description of the Eastern (Soviet) Zone, and bounded on the south by a line drawn from the point where the frontier between the Prussian provinces of Hanover and Hessen-Naussau meets the western frontier of the Prussian province of Saxony; thence along the southern frontier of

<sup>1</sup> Treaties and Other International Acts Series 2071. This agreement was approved by the United States on July 29, 1945, the United Kingdom, August 2, 1945, France, August 7, 1945, and the Soviet Union, August 13, 1945. See also protocol of September 12, 1944 (*supra*) and amendment of November 14, 1944 (*supra*).

Hanover; thence along the south eastern and south western frontiers of the Prussian province of Westphalia and along the southern frontiers of the Prussian Regierungsbezirke of Köln and Aachen to the point where this frontier meets the Belgian German frontier will be occupied by armed forces of the United Kingdom."

5. In place of the description of the South Western Zone given in Article 2 of the above mentioned Protocol, description of the South-Western Zone will read as follows —

*"South Western (United States) Zone (as shown on the annexed map "D")*

The territory of Germany situated to the south and east of a line commencing at the junction of the frontiers of Saxony, Bavaria and Czechoslovakia and extending westward along the northern frontier of Bavaria to the junction of the frontiers of Hessen-Nassau, Thuringia and Bavaria, thence north and west along the eastern and northern frontiers of Hessen-Nassau to the point where the frontier of the district of Dill meets the frontier of the district of Oberwesterwald, thence along the western frontier of the district of Dill, the north-western frontier of the district of Oberlahn, the northern and western frontiers of the district of Limburg an der Lahn, the north-western frontier of the district of Lütectaunus and the northern frontier of the district of Rheingau thence south and east along the western and southern frontiers of Hessen-Nassau to the point where the River Rhine leaves the southern frontier of Hessen-Nassau; thence southwards along the centre of the navigable channel of the River Rhine to the point where the latter leaves Hessen-Darmstadt, thence along the western frontier of Baden to the point where the frontier of the district of Karlsruhe meets the frontier of the district of Rastatt, thence southeast along the southern frontier of the district of Karlsruhe, thence north east and south east along the eastern frontier of Baden to the point where the frontier of Baden meets the frontier between the districts of Calw and Leonberg, thence south and east along the western frontier of the district of Leonberg, the western and southern frontiers of the district of Boblingen, the southern frontier of the district of Nürtingen and the southern frontier of the district of Göppingen to the point where the latter meets the Reichsautobahn between Stuttgart and Ulm, thence along the southern boundary of the Reichsautobahn to the point where the latter meets the western frontier of the district of Ulm, thence south along the western frontier of the State of Bavaria, thence south along the western frontier of Bavaria to the point where the frontier of the district of Kempten meets the frontier of the district of Lindau, thence south west along the western frontier of the district of Kempten and the western frontier of the district of Sonthofen to the point where the latter meets the Austro-German frontier will be occupied by armed forces of the United States of America."

6. The following additional paragraph will be inserted in Article 2 of the above-mentioned Protocol, following the description of the South-Western Zone:

*"Western (French) Zone (as shown on the annexed map "D")*

The territory of Germany, situated to the south and west of a line commencing at the junction of the frontiers of Belgium and of the Prussian Regierungsbezirke of Trier and Aachen and extending eastward along the northern frontier of the Prussian Regierungsbezirk of Trier; thence north, east and south along the western, northern and eastern frontier of the Prussian Regierungsbezirk of Koblenz to the point where the frontier of Koblenz meets the frontier of the district of Oberwesterwald; thence east, south and west along the northern, eastern and southern frontiers of the district of Oberwesterwald and along the eastern frontiers of the districts of Unterwesterwald, Unterlahn and Sankt Goarshausen to the point where the frontier of the district of Sankt Goarshausen meets the frontier of the Regierungsbezirk of Koblenz; thence south and east along the eastern frontier of Koblenz; and the northern frontier of Hessen Darmstadt to the point where the River Rhine leaves the southern frontier of Hessen Nassau; thence southwards along the centre of the navigable channel of the River Rhine to the point where the latter leaves Hessen Darmstadt, thence along the western frontier of Baden to the point where the frontier of the district of Karlsruhe meets the frontier of the district of Rastatt; thence south east along the northern frontier of the district of Rastatt; thence north, east and south along the western, northern and eastern frontiers of the district of Calw, thence eastwards along the northern frontiers of the districts of Horb, Tubingen, Reutlingen and Münsingen to the point where the northern frontier of the district of Münsingen meets the Reichsautobahn between Stuttgart and Ulm, thence southeast along the southern boundary of the Reichsautobahn to the point where the latter meets the eastern frontier of the district of Münsingen, thence south-east along the north eastern frontiers of the districts of Münsingen, Ehingen and Biberach; thence southwards along the eastern frontiers of the districts of Biberach, Wangen and Lindau to the point where the eastern frontier of the district of Lindau meets the Austro-German frontier will be occupied by armed forces of the French Republic".

7. In the paragraph of Article 2 of the above-mentioned Protocol which relates to the joint occupation of "Greater Berlin", insert "and the French Republic" in the enumeration of the participating Powers; substitute the word "four" for the words "the following three".

8. In Article 3 of the above-mentioned Protocol, substitute "four" for "three" before the word "zones".

9. In Article 4 of the above-mentioned Protocol, substitute "four" for "three" before the word "Powers".

10. In Article 5 of the above-mentioned Protocol, substitute "four" for "three" before the word "Commandments".

11. In Article 6 of the above-mentioned Protocol, substitute "quadruplicate" for "triplicate"; add "French" in the enumeration of the languages; substitute "The three texts" for the words "Both texts".

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The above text of the Agreement between the Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom and the Provisional Government of the French Republic regarding Amendments to the Protocol of 12th September, 1944, on the zones of occupation in Germany and the administration of "Greater Berlin" has been prepared and unanimously adopted by the European Advisory Commission at a meeting held on 26th July, 1945.

Representative of the Government of the United States of Amer- ica on the Euro- pean Advisory Commission:	Representative of the Government of the Union of Soviet Socialist Republics on the European Advisory Com- mission:	Representative of the Government of the United Kingdom on the European Ad- visory Commis- sion:	Representative of the Provisional Government of the French Re- public on the European Ad- visory Commis- sion:
JOHN G. WINANT	G. SAKSIN	RONALD I. CAMP- BELL	R. MASSIGLI

LANCASTER HOUSE,  
LONDON, S.W. 1.

26th July 1945.

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*Protocol of the Berlin (Potsdam) Conference, August 1, 1945<sup>1</sup>*

[Extracts]

BERLIN, August 1, 1945.

There is attached hereto the agreed protocol of the Berlin Conference.

JOSEPH V. STALIN  
HARRY TRUMAN  
C. R. ATTLEE

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## PROTOCOL OF THE PROCEEDINGS OF THE BERLIN CONFERENCE

The Berlin Conference of the Three Heads of Government of the U.S.S.R., U.S.A., and U.K., which took place from July 17 to August 2, 1945, came to the following conclusions:

### I. ESTABLISHMENT OF A COUNCIL OF FOREIGN MINISTERS

A. The Conference reached the following agreement for the establishment of a Council of Foreign Ministers to do the necessary preparatory work for the peace settlements:

"(1) There shall be established a Council composed of the Foreign Ministers of the United Kingdom, the Union of Soviet Socialist Republics, China, France, and the United States.

"(2) (i) The Council shall normally meet in London which shall be the permanent seat of the joint Secretariat which the Council will form. Each of the Foreign Ministers will be accompanied by a high-ranking Deputy, duly authorized to carry on the work of the Council in the absence of his Foreign Minister, and by a small staff of technical advisers.

"(ii) The first meeting of the Council shall be held in London not later than September 1st 1945. Meetings may be held by common agreement in other capitals as may be agreed from time to time.

"(3) (i) As its immediate important task, the Council shall be authorized to draw up, with a view to their submission to the United Nations, treaties of peace with Italy, Rumania, Bulgaria, Hungary and Finland, and to propose settlements of territorial questions outstanding on the termination of the war in Europe. The Council shall be utilized for the preparation of a peace settlement for Germany to be accepted by the Government of Germany when a government adequate for the purpose is established.

"(ii) For the discharge of each of these tasks the Council will be composed of the Members representing those States which were signatory to the terms of surrender imposed upon the enemy State concerned. For the purposes of the peace settlement for Italy, France shall be regarded as a signatory to the terms of surrender for Italy. Other Members will be invited to participate when matters directly concerning them are under discussion.

- "(iii) Other matters may from time to time be referred to the Council by agreement between the Member Governments.
- "(4) (i) Whenever the Council is considering a question of direct interest to a State not represented thereon, such State should be invited to send representatives to participate in the discussion and study of that question.

"(ii) The Council may adopt its procedure to the particular problems under consideration. In some cases it may hold its own preliminary discussions prior to the participation of other interested States. In other cases, the Council may convoke a formal conference of the States chiefly interested in seeking a solution of the particular problem.

B. It was agreed that the three Governments should each address an identical invitation to the Governments of China and France to adopt this text and to join in establishing the Council. The text of the approved invitation was as follows:

\* \* \* \* \*

C. It was understood that the establishment of the Council of Foreign Ministers for the specific purposes named in the text would be without prejudice to the agreement of the Crimea Conference that there should be periodical consultation between the Foreign Secretaries of the United States, the Union of Soviet Socialist Republics and the United Kingdom.

D. The Conference also considered the position of the European Advisory Commission in the light of the Agreement to establish the Council of Foreign Ministers. It was noted with satisfaction that the Commission had ably discharged its principal tasks by the recommendations that it had furnished for the terms of surrender for Germany, for the zones of occupation in Germany and Austria and for the Inter-Allied control machinery in those countries. It was felt that further work of a detailed character for the coordination of Allied policy for the control of Germany and Austria would in future fall within the competence of the Control Council at Berlin and the Allied Commission at Vienna. Accordingly it was agreed to recommend that the European Advisory Commission be dissolved.

## II. THE PRINCIPLES TO GOVERN THE TREATMENT OF GERMANY IN THE INITIAL CONTROL PERIOD

### A. POLITICAL PRINCIPLES

1. In accordance with the Agreement on Control Machinery in Germany, supreme authority in Germany is exercised, on instructions from their respective Governments, by the Commanders-in-Chief of the armed forces of the United States of America, the United Kingdom, the Union of Soviet Socialist Republics, and the French Republic, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole, in their capacity as members of the Control Council.

2. So far as is practicable, there shall be uniformity of treatment of the German population throughout Germany.

3. The purposes of the occupation of Germany by which the Control Council shall be guided are:

(i) The complete disarmament and demilitarization of Germany and the elimination or control of all German industry that could be used for military production. To these ends:

(a) All German land, naval and air forces, the S.S., S.A., S.G., and Gestapo, with all their organizations, staffs and institutions, including the General Staff, the Officers' Corps, Reserve Corps, military schools, war veterans' organizations and all other military and semi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism;

(b) All arms, ammunition and implements of war and all specialized facilities for their production shall be held at the disposal of the Allies or destroyed. The maintenance and production of all aircraft and all arms, ammunition and implements of war shall be prevented.

(ii) To convince the German people that they have suffered a total military defeat and that they cannot escape responsibility for what they have brought upon themselves, since their own ruthless warfare and the fanatical Nazi resistance have destroyed German economy and made chaos and suffering inevitable.

(iii) To destroy the National Socialist Party and its affiliated and supervised organizations, to dissolve all Nazi institutions, to ensure that they are not revived in any form, and to prevent all Nazi and militarist activity or propaganda.

(iv) To prepare for the eventual reconstruction of German political life on a democratic basis and for eventual peaceful cooperation in international life by Germany.

4. All Nazi laws which provided the basis of the Hitler regime or established discriminations on grounds of race, creed, or political opinion shall be abolished. No such discriminations, whether legal, administrative or otherwise, shall be tolerated.

5. War criminals and those who have participated in planning or carrying out Nazi enterprises involving or resulting in atrocities or war crimes shall be arrested and brought to judgment. Nazi leaders, influential Nazi supporters and high officials of Nazi organizations and institutions and any other persons dangerous to the occupation or its objectives shall be arrested and interned.

6. All members of the Nazi Party who have been more than nominal participants in its activities and all other persons hostile to Allied purposes shall be removed from public and semi-public office, and from positions of responsibility in important private undertakings. Such persons shall be replaced by persons who, by their political and moral qualities, are deemed capable of assisting in developing genuine democratic institutions in Germany.

7. German education shall be so controlled as completely to eliminate Nazi and militarist doctrines and to make possible the successful development of democratic ideas.

8. The judicial system will be reorganized in accordance with the principles of democracy, of justice under law, and of equal rights for all citizens without distinction of race, nationality or religion.

9. The administration in Germany should be directed towards the decentralization of the political structure and the development of local responsibility. To this end:

(i) local self-government shall be restored throughout Germany on democratic principles and in particular through elective councils as rapidly as is consistent with military security and the purposes of military occupation;

(ii) all democratic political parties with rights of assembly and of public discussion shall be allowed and encouraged throughout Germany;

(iii) representative and elective principles shall be introduced into regional, provincial and state (Land) administration as rapidly as may be justified by the successful application of these principles in local self-government;

(iv) for the time being, no central German Government shall be established. Notwithstanding this, however, certain essential central German administrative departments, headed by State Secretaries, shall be established, particularly in the fields of finance, transport, communications, foreign trade and industry. Such departments will act under the direction of the Control Council.

10. Subject to the necessity for maintaining military security, freedom of speech, press and religion shall be permitted, and religious institutions shall be respected. Subject likewise to the maintenance of military security, the formation of free trade unions shall be permitted.

#### B. ECONOMIC PRINCIPLES

11. In order to eliminate Germany's war potential, the production of arms, ammunition and implements of war as well as all types of aircraft and sea going ships shall be prohibited and prevented. Production of metals, chemicals, machinery and other items that are directly necessary to a war economy shall be rigidly controlled and restricted to Germany's approved post-war peacetime needs to meet the objectives stated in Paragraph 15. Productive capacity not needed for permitted production shall be removed in accordance with the reparations plan recommended by the Allied Commission on Reparations and approved by the Governments concerned or if not removed shall be destroyed.

12. At the earliest practicable date, the German economy shall be decentralized for the purpose of eliminating the present excessive concentration of economic power as exemplified in particular by cartels, syndicates, trusts and other monopolistic arrangements.

13. In organizing the German Economy, primary emphasis shall be given to the development of agriculture and peaceful domestic industries.

14. During the period of occupation Germany shall be treated as a single economic unit. To this end common policies shall be established in regard to:

- (a) mining and industrial production and its allocation;
- (b) agriculture, forestry and fishing;
- (c) wages, prices and rationing;
- (d) import and export programs for Germany as a whole;
- (e) currency and banking, central taxation and customs;

- (f) reparation and removal of industrial war potential;
- (g) transportation and communications.

In applying these policies account shall be taken, where appropriate, of varying local conditions.

15. Allied controls shall be imposed upon the German economy but only to the extent necessary:

(a) to carry out programs of industrial disarmament, demilitarization, or reparations, and of approved exports and imports.

(b) to assure the production and maintenance of goods and services required to meet the needs of the occupying forces and displaced persons in Germany and essential to maintain in Germany average living standards not exceeding the average of the standards of living of European countries. (European countries means all European countries excluding the United Kingdom and the U.S.S.R.)

(c) to ensure in the manner determined by the Control Council equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports.

(d) to control German industry and all economic and financial international transactions including exports and imports, with the aim of preventing Germany from developing a war potential and of achieving the other objectives named herein.

(e) to control all German public or private scientific bodies, research and experimental institutions, laboratories, et cetera, connected with economic activities.

16. In the imposition and maintenance of economic controls established by the Control Council, German administrative machinery shall be created and the German authorities shall be required to the fullest extent practicable to proclaim and assume administration of such controls. Thus it should be brought home to the German people that the responsibility for the administration of such controls and any breakdown in these controls will rest with themselves. Any German controls which may run counter to the objectives of occupation will be prohibited.

17. Measures shall be promptly taken:

(a) to effect essential repair of transport;

(b) to enlarge coal production;

(c) to maximize agricultural output; and

(d) to effect emergency repair of housing and essential utilities.

18. Appropriate steps shall be taken by the Control Council to exercise control and the power of disposition over German-owned external assets not already under the control of United Nations which have taken part in the war against Germany.

19. Payment of Reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports.

The above clause will not apply to the equipment and products referred to in paragraphs 4(a) and 4(b) of the Reparations Agreement.

### III REPARATIONS FROM GERMANY

1. Reparation claims of the U.S.S.R. shall be met by removals from the zone of Germany occupied by the U.S.S.R., and from appropriate German external assets.

2. The U.S.S.R. undertakes to settle the reparation claims of Poland from its own share of reparations.

3. The reparation claims of the United States, the United Kingdom and other countries entitled to reparations shall be met from the Western Zones and from appropriate German external assets.

4. In addition to the reparations to be taken by the U.S.S.R. from its own zone of occupation, the U.S.S.R. shall receive additionally from the Western Zones,

(a) 15 percent of such usable and complete industrial capital equipment, in the first place from the metallurgical, chemical and machine manufacturing industries as is unnecessary for the German peace economy and should be removed from the Western Zones of Germany, in exchange for an equivalent value of food, coal, potash, zinc, timber, clay products, petroleum products, and such other commodities as may be agreed upon.

(b) 10 percent of such industrial capital equipment as is unnecessary for the German peace economy and should be removed from the Western Zones, to be transferred to the Soviet Government on reparations account without payment or exchange of any kind in return.

Removals of equipment as provided in (a) and (b) above shall be made simultaneously.

5. The amount of equipment to be removed from the Western Zones on account of reparations must be determined within six months from now at the latest.

6. Removals of industrial capital equipment shall begin as soon as possible and shall be completed within two years from the determination specified in paragraph 5. The delivery of products covered by 4(a) above shall begin as soon as possible and shall be made by the U.S.S.R. in agreed installments within five years of the date hereof. The determination of the amount and character of the industrial capital equipment unnecessary for the German peace economy and therefore available for reparation shall be made by the Control Council under policies fixed by the Allied Commission on Reparations, with the participation of France, subject to the final approval of the Zone Commander in the Zone from which the equipment is to be removed.

7. Prior to the fixing of the total amount of equipment subject to removal, advance deliveries shall be made in respect to such equipment as will be determined to be eligible for delivery in accordance with the procedure set forth in the last sentence of paragraph 6.

8. The Soviet Government renounces all claims in respect of reparations to shares of German enterprises which are located in the Western Zones of Germany as well as to German foreign assets in all countries except those specified in paragraph 9 below.

9. The Governments of the U.K. and U.S.A. renounce all claims in respect of reparations to shares of German enterprises which are located in the Eastern Zone of occupation in Germany, as well as to

**German foreign assets in Bulgaria, Finland, Hungary, Rumania and Eastern Austria.**

10. The Soviet Government makes no claims to gold captured by the Allied troops in Germany.

#### IV. DIAPORAL OF THE GERMAN NAVY AND MERCHANT MARINE

A. The following principles for the distribution of the German Navy were agreed:

(1) The total strength of the German surface navy, excluding ships sunk and those taken over from Allied Nations, but including ships under construction or repair, shall be divided equally among the U.S.S.R., U.K. and U.S.A.

(2) Ships under construction or repair mean those ships whose construction or repair may be completed within three to six months, according to the type of ship. Whether such ships under construction or repair shall be completed or repaired shall be determined by the technical commission appointed by the Three Powers and referred to below, subject to the principle that their completion or repair must be achieved within the time limits above provided, without any increase of skilled employment in the German shipyards and without permitting the reopening of any German ship building or connected industries. Completion date means the date when a ship is able to go out on its first trip, or, under peacetime standards, would refer to the customary date of delivery by shipyard to the Government.

(3) The larger part of the German submarine fleet shall be sunk. Not more than thirty submarines shall be preserved and divided equally between the U.S.S.R., U.K. and U.S.A. for experimental and technical purposes.

(4) All stocks of armament, ammunition and supplies of German Navy appertaining to the vessels transferred pursuant to paragraphs (1) and (3) hereof shall be handed over to the respective powers receiving such ships.

(5) The Three Governments agree to constitute a tripartite naval commission comprising two representatives for each government, accompanied by the requisite staff, to submit agreed recommendations to the Three Governments for the allocation of specific German warships and to handle other detailed matters arising out of the agreement between the Three Governments regarding the German fleet. The Commission will hold its first meeting not later than 15th August, 1945, in Berlin, which shall be its headquarters. Each Delegation on the Commission will have the right on the basis of reciprocity to inspect German warships wherever they may be located.

(6) The Three Governments agreed that transfers, including those of ships under construction and repair, shall be completed as soon as possible, but not later than 15th February, 1946. The Commission will submit fortnightly reports, including proposals for the progressive allocation of the vessels when agreed by the Commission.

B. The following principles for the distribution of the German Merchant Marine were agreed:

(1) The German Merchant Marine, surrendered to the Three Powers and wherever located, shall be divided equally among the U.S.S.R., the U.K., and the U.S.A. The actual transfers of the ships to the respective countries shall take place as soon as practicable after the end of the war against Japan. The United Kingdom and the United States will provide out of their shares of the surrendered German merchant ships appropriate amounts for other Allied States whose merchant marines have suffered heavy losses in the common cause against Germany, except that the Soviet Union shall provide out of its share for Poland.

(2) The allocation, manning, and operation of these ships during the Japanese War period shall fall under the cognizance and authority of the Combined Shipping Adjustment Board and the United Maritime Authority.

(3) While actual transfer of the ships shall be delayed until after the end of the war with Japan, a Tripartite Shipping Commission shall inventory and value all available ships and recommend a specific distribution in accordance with paragraph (1).

(4) German inland and coastal ships determined to be necessary to the maintenance of the basic German peace economy by the Allied Control Council of Germany shall not be included in the shipping pool thus divided among the Three Powers.

(5) The Three Governments agree to constitute a tripartite merchant marine commission comprising two representatives for each Government, accompanied by the requisite staff, to submit agreed recommendations to the Three Governments for the allocation of specific German merchant ships and to handle other detailed matters arising out of the agreement between the Three Governments regarding the German merchant ships. The Commission will hold its first meeting not later than September 1st, 1945, in Berlin, which shall be its headquarters. Each delegation on the Commission will have the right on the basis of reciprocity to inspect the German merchant ships wherever they may be located.

#### V. CITY OF KOENIGSBERG AND THE ADJACENT AREA

The Conference examined a proposal by the Soviet Government to the effect that pending the final determination of territorial questions at the peace settlement, the section of the western frontier of the Union of Soviet Socialist Republics which is adjacent to the Baltic Sea should pass from a point on the eastern shore of the Bay of Danzig to the east, north of Braunsberg Goldap, to the meeting point of the frontiers of Lithuania, the Polish Republic and East Prussia.

The Conference has agreed in principle to the proposal of the Soviet Government concerning the ultimate transfer to the Soviet Union of the City of Koenigsberg and the area adjacent to it as described above subject to expert examination of the actual frontier.

The President of the United States and the British Prime Minister have declared that they will support the proposal of the Conference at the forthcoming peace settlement.

## VI. WAR CRIMINALS

The Three Governments have taken note of the discussions which have been proceeding in recent weeks in London between British, United States, Soviet and French representatives with a view to reaching agreement on the methods of trial of these major war criminals whose crimes under the Moscow Declaration of October, 1943 have no particular geographical localisation. The Three Governments reaffirm their intention to bring these criminals to swift and sure justice. They hope that the negotiations in London will result in speedy agreement being reached for this purpose, and they regard it as a matter of great importance that the trial of these major criminals should begin at the earliest possible date. The first list of defendants will be published before 1st September.

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## VIII. POLAND

### B. WESTERN FRONTIER OF POLAND

In conformity with the agreement on Poland reached at the Crimea Conference the three Heads of Government have sought the opinion of the Polish Provisional Government of National Unity in regard to the accession of territory in the north and west which Poland should receive. The President of the National Council of Poland and members of the Polish Provisional Government of National Unity have been received at the Conference and have fully presented their views. The three Heads of Government reaffirm their opinion that the final delimitation of the western frontier of Poland should await the peace settlement.

The three Heads of Government agree that, pending the final determination of Poland's western frontier, the former German territories east of a line running from the Baltic Sea immediately west of Swinamunde, and thence along the Oder River to the confluence of the western Neisse River and along the western Neisse to the Czechoslovak frontier, including that portion of East Prussia not placed under the administration of the Union of Soviet Socialist Republics in accordance with the understanding reached at this conference and including the area of the former free city of Danzig, shall be under the administration of the Polish State and for such purposes should not be considered as part of the Soviet zone of occupation in Germany.

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## XII. ORDERLY TRANSFER OF GERMAN POPULATIONS

The Three Governments, having considered the question in all its aspects, recognize that the transfer to Germany of German populations, or elements thereof, remaining in Poland, Czechoslovakia and Hungary, will have to be undertaken. They agree that any transfers that take place should be effected in an orderly and humane manner.

Since the influx of a large number of Germans into Germany would increase the burden already resting on the occupying authorities, they consider that the Control Council in Germany should in the first instance examine the problem with special regard to the question of the equitable distribution of these Germans among the several zones of occupation. They are accordingly instructing their respective

representatives on the Control Council to report to their Governments as soon as possible the extent to which such persons have already entered Germany from Poland, Czechoslovakia and Hungary, and to submit an estimate of the time and rate at which further transfers could be carried out having regard to the present situation in Germany.

The Czechoslovak Government, the Polish Provisional Government and the Control Council in Hungary are at the same time being informed of the above and are being requested meanwhile to suspend further expulsions pending an examination by the Governments concerned of the report from their representatives on the Control Council.

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#### XIX. DIRECTIVES TO MILITARY COMMANDERS ON ALLIED CONTROL COUNCIL FOR GERMANY

The Three Governments agreed that each would send a directive to its representative on the Control Council for Germany informing him of all decisions of the Conference affecting matters within the scope of his duties.

#### XX. USE OF ALLIED PROPERTY FOR SATELLITE REPARATIONS OR "WAR TROPHIES"

The proposal (Annex II) presented by the United States Delegation was accepted in principle by the Conference, but the drafting of an agreement on the matter was left to be worked out through diplomatic channels.

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#### ANNEX II

##### USE OF ALLIED PROPERTY FOR SATELLITE REPARATIONS OR "WAR TROPHIES"

1. The burden of reparation and "war trophies" should not fall on Allied nationals.

2. *Capital Equipment.* We object to the removal of such Allied property as reparations, "war trophies", or under any other guise. Loss would accrue to Allied nationals as a result of destruction of plants and the consequent loss of markets and trading connections. Seizure of Allied property makes impossible the fulfillment by the satellite of its obligation under the armistice to restore intact the rights and interests of the Allied Nations and their nationals.

The United States looks to the other occupying powers for the return of any equipment already removed and the cessation of removals. Where such equipment will not or cannot be returned, the U. S. will demand of the satellite adequate, effective and prompt compensation to American nationals, and that such compensation have priority equal to that of the reparations payment.

These principles apply to all property wholly or substantially owned by Allied nationals. In the event of removals of property in

which the American as well as the entire Allied interest is less than substantial, the U. S. expects adequate, effective, and prompt compensation.

3. *Current Production.* While the U. S. does not oppose reparation out of current production of Allied investments, the satellite must provide immediate and adequate compensation to the Allied nationals including sufficient foreign exchange or products so that they can recover reasonable foreign currency expenditures and transfer a reasonable return on their investment. Such compensation must also have equal priority with reparations.

We deem it essential that the satellites not conclude treaties, agreements or arrangements which deny to Allied nationals access, on equal terms, to their trade, raw materials and industry, and appropriately modify any existing arrangements which may have that effect.

*Stuttgart Address by Secretary of State Byrnes, September 6,  
1946.<sup>1</sup>*

### RESTATEMENT OF U.S. POLICY ON GERMANY

I have come to Germany to learn at first hand the problems involved in the reconstruction of Germany and to discuss with our representatives the views of the United States Government as to some of the problems confronting us.

We in the United States have given considerable time and attention to these problems because upon their proper solution will depend not only the future well-being of Germany but the future well-being of Europe.

We have learned, whether we like it or not, that we live in one world, from which world we cannot isolate ourselves. We have learned that peace and well being are indivisible and that our peace and well-being cannot be purchased at the price of the peace or the well-being of any other country.

I hope that the German people will never again make the mistake of believing that because the American people are peace-loving they will sit back hoping for peace if any nation uses force or the threat of force to acquire dominion over other peoples and other governments.

In 1917 the United States was forced into the first World War. After that war we refused to join the League of Nations. We thought we could stay out of Europe's wars, and we lost interest in the affairs of Europe. That did not keep us from being forced into a second world war.

We will not again make that mistake. We intend to continue our interest in the affairs of Europe and of the world. We have helped to organize the United Nations. We believe it will stop aggressor nations from starting wars. Because we believe it, we intend to support the United Nations organization with all the power and resources we possess.

The American people want peace. They have long since ceased to talk of a hard or a soft peace for Germany. This never has been

<sup>1</sup> *Germany, 1947-1949: The Story in Documents* (Department of State publication 3656: 1950), pp. 3-8.

the real issue. What we want is a lasting peace. We will oppose soft measures which invite the breaking of the peace.

In agreeing at Potsdam that Germany should be disarmed and demilitarized and in proposing that the four major powers should by treaty jointly undertake to see that Germany is kept disarmed and demilitarized for a generation, the United States was not unmindful of the responsibility resting upon it and its major Allies to maintain and enforce peace under the law.

Freedom for militarism will give the German people the opportunity, if they will but seize it, to apply their great energies and abilities to the works of peace. It will give them the opportunity to show themselves worthy of the respect and friendship of peace-loving nations, and in time, to take an honorable place among the members of the United Nations.

It is not in the interest of the German people or in the interest of world peace that Germany should become a pawn or a partner in a military struggle for power between East and the West.

German militarism and Nazism have devastated twice in our generation the lands of Germany's neighbors. It is fair and just that Germany should do her part to repair that devastation. Most of the victims of Nazi aggression were before the war less well off than Germany. They should not be expected by Germany to bear, unaided, the major costs of Nazi aggression.

The United States, therefore, is prepared to carry out fully the principles outlined in the Potsdam Agreement on demilitarization and reparations. However, there should be changes in the levels of industry agreed upon by the Allied Control Commission if Germany is not to be administered as an economic unit as the Potsdam Agreement contemplates and requires.

The basis of the Potsdam Agreement was that, as part of a combined program of demilitarization and reparations, Germany's war potential should be reduced by elimination and removal of her war industries and the reduction and removal of heavy industrial plants. It was contemplated this should be done to the point that Germany would be left with levels of industry capable of maintaining in Germany average European living standards without assistance from other countries.

The plants so to be removed were to be delivered as reparations to the Allies. The plants to be removed from the Soviet zone would go to the Soviet Union and Poland and the plants to be removed from the western zones would go in part to the Soviet Union but in the main to the western Allies. Provision was also made for the distribution of Germany's foreign assets among the Allies.

After considerable discussion the Allies agreed upon levels to which the principal German industries should be reduced in order to carry out the Potsdam Agreement. These levels were agreed to upon the assumption that the indigenous resources of Germany were to be available for distribution on an equitable basis for all of the Germans in Germany and that products not necessary for use in Germany would be available for export in order to pay for necessary imports.

In fixing the levels of industry no allowance was made for reparations from current production. Reparations from current production would be wholly incompatible with the levels of industry now established under the Potsdam Agreement.

Obviously, higher levels of industry would have had to be fixed if reparations from current production were contemplated. The levels of industry fixed are only sufficient to enable the German people to become self-supporting and to maintain living standards approximating the average European living conditions.

That principle involves serious hardships for the German people, but it only requires them to share the hardships which Nazi aggression imposed on the average European.

The German people were not denied, however, the possibility of improving their lot by hard work over the years. Industrial growth and progress were not denied them. Being obliged to start again like the people of other devastated countries, with a peacetime economy not able to provide them more than the average European standard, the German people were not to be denied the right to use such savings as they might be able to accumulate by hard work and frugal living to build up their industries for peaceful purposes.

That was the principle of reparation to which President Truman agreed at Potsdam. And the United States will not agree to the taking from Germany of greater reparations than was provided by the Potsdam Agreement.

The carrying out of the Potsdam Agreement has, however, been obstructed by the failure of the Allied Control Council to take the necessary steps to enable the German economy to function as an economic unit. Essential central German administrative departments have not been established, although they are expressly required by the Potsdam Agreement.

The equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports has not been arranged, although that too is expressly required by the Potsdam Agreement.

The working out of a balanced economy throughout Germany to provide the necessary means to pay for approved imports has not been accomplished, although that too is expressly required by the Potsdam Agreement.

The United States is firmly of the belief that Germany should be administered as an economic unit and that zonal barriers should be completely obliterated so far as the economic life and activity in Germany are concerned.

The conditions which now exist in Germany make it impossible for industrial production to reach the levels which the occupying powers agreed were essential for a minimum German peacetime economy. Obviously, if the agreed levels of industry are to be reached, we can not continue to restrict the free exchange of commodities, persons, and ideas throughout Germany. The barriers between the four zones of Germany are far more difficult to surmount than those between normal independent states.

The time has come when the zonal boundaries should be regarded as defining only the areas to be occupied for security purposes by the armed forces of the occupying powers and not as self-contained economic or political units.

That was the course of development envisaged by the Potsdam Agreement, and that is the course of development which the American

Government intends to follow to the full limit of its authority. It has formally announced that it is its intention to unify the economy of its own zone with any or all of the other zones willing to participate in the unification.

So far only the British Government has agreed to let its zone participate. We deeply appreciate their cooperation. Of course, this policy of unification is not intended to exclude the governments not now willing to join. The unification will be open to them at any time they wish to join.

We favor the economic unification of Germany. If complete unification cannot be secured, we shall do everything in our power to secure the maximum possible unification.

Important as the economic unification is for the recovery of Germany and of Europe, the German people must recognize that the basic cause of their suffering and distress is the war which the Nazi dictatorship brought upon the world.

But just because suffering and distress in Germany are inevitable, the American Government is unwilling to accept responsibility for the needless aggravation of economic distress that is caused by the failure of the Allied Control Council to agree to give the German people a chance to solve some of their most urgent economic problems.

So far as many vital questions are concerned, the Control Council is neither governing Germany nor allowing Germany to govern itself.

A common financial policy is essential for the successful rehabilitation of Germany. Runaway inflation accompanied by economic paralysis is almost certain to develop unless there is a common financial policy directed to the control of inflation. A program of drastic fiscal reform to reduce currency and monetary claims, to revise the debt structure, and to place Germany on a sound financial basis is urgently required.

The United States has worked hard to develop such a program, but fully coordinated measures must be accepted and applied uniformly to all zones if ruinous inflation is to be prevented. A central agency of finance is obviously necessary to carry out any such program effectively.

It is also essential that transportation, communications, and postal services should be organized throughout Germany without regard to zonal barriers. The nation wide organization of these public services was contemplated by the Potsdam Agreement. Twelve months have passed and nothing has been done.

Germany needs all the food she can produce. Before the war she could not produce enough food for her population. The area of Germany has been reduced. The population in Silesia, for instance, has been forced back into a restricted Germany. Armies of occupation and displaced persons increase demands while the lack of farm machinery and fertilizer reduces supplies. To secure the greatest possible production of food and the most effective use and distribution of the food that can be produced, a central administrative department for agriculture should be set up and allowed to function without delay.

Similarly, there is urgent need for the setting up of a central German administrative agency for industry and foreign trade. While Germany must be prepared to share her coal and steel with the

liberated countries of Europe dependent upon those supplies, Germany must be enabled to use her skills and her energies to increase her industrial production and to organize the most effective use of her raw materials.

Germany must be given a chance to export goods in order to import enough to make her economy self-sustaining. Germany is a part of Europe, and recovery in Europe, and particularly in the states adjoining Germany, will be slow indeed if Germany with her great resources of iron and coal is turned into a poorhouse.

When the ruthless Nazi dictatorship was forced to surrender unconditionally, there was no German government with which the Allies could deal. The Allies had temporarily to take over the responsibilities of the shattered German state, which the Nazi dictatorship had cut off from any genuine accountability to the German people. The Allies could not leave the leaders or minions of Nazism in key positions ready to reassert their evil influence at the first opportunity. They had to go.

But it never was the intention of the American Government to deny to the German people the right to manage their own internal affairs as soon as they were able to do so in a democratic way with genuine respect for human rights and fundamental freedoms.

The Potsdam Agreement, concluded only a few months after the surrender, bound the occupying powers to restore local self-government and to introduce elective and representative principles into the regional, provincial, and state administration as rapidly as was consistent with military security and the purposes of the military occupation.

The principal purposes of the military occupation were and are to demilitarize and de-Nazify Germany but not to raise artificial barriers to the efforts of the German people to resume their peacetime economic life.

The Nazi war criminals were to be punished for the suffering they brought to the world. The policy of reparations and industrial disarmament prescribed in the Potsdam Agreement was to be carried out. But the purpose of the occupation did not contemplate a prolonged foreign dictatorship of Germany's peacetime economy or a prolonged foreign dictatorship of Germany's internal political life. The Potsdam Agreement expressly bound the occupying powers to start building a political democracy from the ground up.

The Potsdam Agreement did not provide that there should never be a central German government; it merely provided that for the time being there should be no central German government. Certainly this only meant that no central government should be established until some sort of democracy was rooted in the soil of Germany and some sense of local responsibility developed.

The Potsdam Agreement wisely provided that administration of the affairs of Germany should be directed toward decentralization of the political structure and the development of local responsibility. This was not intended to prevent progress toward a central government with the powers necessary to deal with matters which would be dealt with on a nation-wide basis. But it was intended to prevent the establishment of a strong central government dominating the German people instead of being responsible to their democratic will.

It is the view of the American Government that the German people throughout Germany, under proper safeguards, should now be given the primary responsibility for the running of their own affairs.

More than a year has passed since hostilities ceased. The millions of German people should not be forced to live in doubt as to their fate. It is the view of the American Government that the Allies should, without delay, make clear to the German people the essential terms of the peace settlement which they expect the German people to accept and observe. It is our view that the German people should now be permitted and helped to make the necessary preparations for setting up of a democratic German government which can accept and observe these terms.

From now on the thoughtful people of the world will judge Allied action in Germany not by Allied promises but by Allied performances. The American Government has supported and will continue to support the necessary measures to de-Nazify and demilitarize Germany, but it does not believe that large armies of foreign soldiers or alien bureaucrats, however well motivated and disciplined, are in the long run the most reliable guardians of another country's democracy.

All that the Allied governments can and should do is to lay down the rules under which German democracy can govern itself. The Allied occupation forces should be limited to the number sufficient to see that those rules are obeyed.

But of course the question for us will be: What force is needed to make certain that Germany does not rearm as it did after the first World War? Our proposal for a treaty with the major powers to enforce for 25 or even 40 years the demilitarization plan finally agreed upon in the peace settlement would have made possible a smaller arm of occupation. For enforcement we could rely more upon a force of trained inspectors and less upon infantry.

For instance, if an automobile factory, in violation of the treaty, converted its machinery to the production of weapons of war, inspectors would report it to the Allied Control Council. They would call upon the German Government to stop the production and punish the offender. If the German Government failed to comply then the Allied nations would take steps to enforce compliance by the German Government. Unfortunately our proposal for a treaty was not agreed to.

Security forces will probably have to remain in Germany for a long period. I want no misunderstanding. We will not shirk our duty. We are not withdrawing. We are staying here. As long as there is an occupation army in Germany, American armed forces will be part of that occupation army.

The United States favors the early establishment of a provisional German government for Germany. Progress has been made in the American zone in developing local and state self-government in Germany, and the American Government believes similar progress is possible in all zones.

It is the view of the American Government that the provisional government should not be handpicked by other governments. It should be a German national council composed of the democratically responsible minister presidents or other chief officials of the several states or provinces which have been established in each of the four zones.

Subject to the reserved authority of the Allied Control Council, the German National Council should be responsible for the proper functioning of the central administrative agencies. Those agencies should have adequate power to assure the administration of Germany as an economic unit, as was contemplated by the Potsdam Agreement.

The German National Council should also be charged with the preparation of a draft of a federal constitution for Germany which, among other things, should insure the democratic character of the new Germany and the human rights and fundamental freedoms of all its inhabitants.

After approval in principle by the Allied Control Council, the proposed constitution should be submitted to an elected convention for final drafting and then submitted to the German people for ratification.

While we shall insist that Germany observe the principles of peace, good-neighborness, and humanity, we do not want Germany to become the satellite of any power or powers or to live under a dictatorship, foreign or domestic. The American people hope to see peaceful, democratic Germans become and remain free and independent.

Austria has already been recognized as a free and independent country. Her temporary and forced union with Germany was not a happy event for either country, and the United States is convinced that it is in the interest of both countries and the peace of Europe that they should pursue their separate ways.

At Potsdam specific areas which were part of Germany were provisionally assigned to the Soviet Union and to Poland, subject to the final decisions of the Peace Conference. At that time these areas were being held by the Soviet and Polish armies. We were told that Germans in large numbers were fleeing from these areas and that it would in fact, because of the feelings aroused by the war, be difficult to reorganize the economic life of these areas if they were not administered as integral parts in the one case of the Soviet Union and in the other case of Poland.

The heads of government agreed to support at the peace settlement the proposal of the Soviet Government concerning the ultimate transfer to the Soviet Union of the city of Königsberg and the area adjacent to it. Unless the Soviet Government changes its views on the subject we will certainly stand by our agreement.

With regard to Silesia and other eastern German areas, the assignment of this territory to Poland by Russia for administrative purposes had taken place before the Potsdam meeting. The heads of government agreed that, pending the final determination of Poland's western frontier, Silesia and other eastern German areas should be under the administration of the Polish state and for such purposes should not be considered as a part of the Soviet zone of occupation in Germany. However, as the Protocol of the Potsdam Conference makes clear, the heads of government did not agree to support at the peace settlement the cession of this particular area.

The Soviets and the Poles suffered greatly at the hands of Hitler's invading armies. As a result of the agreement at Yalta, Poland ceded to the Soviet Union territory east of the Curzon Line. Because of this, Poland asked for revision of her northern and western frontiers.

The United States will support a revision of these frontiers in Poland's favor. However, the extent of the area to be ceded to Poland must be determined when the final settlement is agreed upon.

The United States does not feel that it can deny to France, which has been invaded three times by Germany in 70 years, its claim to the Saar territory, whose economy has long been closely linked with France. Of course, if the Saar territory is integrated with France she should readjust her reparation claims against Germany.

Except as here indicated, the United States will not support any encroachment on territory which is indisputably German or any division of Germany which is not genuinely desired by the people concerned. So far as the United States is aware the people of the Ruhr and the Rhineland desire to remain united with the rest of Germany. And the United States is not going to oppose their desire.

While the people of the Ruhr were the last to succumb to Nazism, without the resources of the Ruhr Nazism could never have threatened the world. Never again must those resources be used for destructive purposes. They must be used to rebuild a free, peaceful Germany and a free, peaceful Europe.

The United States will favor such control over the whole of Germany, including the Ruhr and the Rhineland, as may be necessary for security purposes. It will help to enforce those controls. But it will not favor any controls that would subject the Ruhr and the Rhineland to political domination or manipulation of outside powers.

The German people are now feeling the devastating effects of the war which Hitler and his minions brought upon the world. Other people felt those devastating effects long before they were brought home to the people of Germany.

The German people must realize that it was Hitler and his minions who tortured and exterminated innocent men, women, and children and sought with German arms to dominate and degrade the world. It was the massed, angered forces of humanity which had to fight their way into Germany to give the world the hope of freedom and peace.

The American people who fought for freedom have no desire to enslave the German people. The freedom Americans believe in and fought for is a freedom which must be shared with all willing to respect the freedom of others.

The United States has returned to Germany practically all prisoners of war that were in the United States. We are taking prompt steps to return German prisoners of war in our custody in other parts of the world.

The United States cannot relieve Germany from the hardships inflicted upon her by the war her leaders started. But the United States has no desire to increase those hardships or to deny the German people an opportunity to work their way out of those hardships so long as they respect human freedom and follow the paths of peace.

The American people want to return the government of Germany to the German people. The American people want to help the German people to win their way back to an honorable place among the free and peace-loving nations of the world.

*Report by Secretary of State Marshall on the Fourth Session of the Council of Foreign Ministers, April 28, 1947.<sup>1</sup>*

## COUNCIL OF FOREIGN MINISTERS

Tonight I hope to make clearly understandable the fundamental nature of the issues discussed at the Moscow Conference of Foreign Ministers.

This Conference dealt with the very heart of the peace for which we are struggling. It dealt with the vital center of Europe—Germany and Austria—an area of large and skilled population, of great resources and industrial plants, an area which has twice in recent times brought the world to the brink of disaster. In the Moscow negotiations all the disagreements which were so evident during the conferences regarding the Italian and Balkan treaties came into sharp focus and remained in effect unsolved.

Problems which bear directly on the future of our civilization can not be disposed of by general talk or vague formulae—by what Lincoln called “pernicious abstractions”. They require concrete solutions for definite and extremely complicated questions—questions which have to do with boundaries, with power to prevent military aggression, with people who have bitter memories, with the production and control of things which are essential to the lives of millions of people. You have been kept well informed by the press and radio of the daily activities of the Council, and much of what I have to say may seem repetitions. But the extremely complicated nature of the three major issues we considered makes it appear desirable for me to report in some detail the problems as I saw them in my meetings at the Conference table.

There was a reasonable possibility, we had hoped a probability, of completing in Moscow a peace treaty for Austria and a four-power pact to bind together our four governments to guarantee the demilitarization of Germany. As for the German peace treaty and related but more current German problems, we had hoped to reach agreement on a directive for the guidance of our deputies in their work preparatory to the next conference.

In a statement such as this, it is not practicable to discuss the numerous issues which continued in disagreement at the Conference. It will suffice, I think, to call attention to the fundamental problems whose solution would probably lead to the quick adjustment of many other differences.

### *Coal*

It is important to an understanding of the Conference that the complex character of the problems should be understood, together with their immediate effect on the people of Europe in the coming months. To cite a single example, more coal is most urgently needed throughout Europe for factories, for utilities, for railroads, and for the people in their homes. More coal for Allied countries cannot be mined and delivered until the damaged mines, mine machinery, railroad communications and like facilities are rehabilitated. This reha-

<sup>1</sup> *Ibid.*, pp. 57-63. The Fourth Session of the Council was held at Moscow from March 10 to April 24, 1947.

bilitation, however, depends on more steel, and more steel depends in turn on more coal for steel making. Therefore, and this is the point to be kept in mind, while the necessary rehabilitation is in progress, less coal would be available in the immediate future for the neighboring Allied states.

But less coal means less employment for labor and a consequent delay in the production of goods for export to bring money for the purchase of food and necessities. Therefore, the delay necessary to permit rehabilitation of the mines so vitally affects France that the settlement of this matter has become for her a critical issue. All neighboring states and Great Britain and the Soviet Union are directly affected in various ways since coal is required for German production of goods for export sufficient to enable her to buy the necessary imports of foods, et cetera, for much of which the United States is now providing the funds.

Moreover, in the background of this coal issue, which is directly related to steel production, is the important consideration of the build-up of heavy industry in Germany, which could later again become a threat to the peace of the world. I cite this single example to illustrate the complications which are involved in these negotiations.

#### *Germany*

The Allied Control Council in Berlin presented a detailed report of the many problems concerned with the political, military, economic, and financial situation under the present military government of Germany. In connection with these matters, the Ministers considered the form and scope of the provisional political organization for Germany and the procedure to be followed in the preparation of the German peace treaty.

The German negotiations involved not only the security of Europe and the world but the prosperity of all of Europe. While our mission was to consider the terms of a treaty to operate over a long term of years, we were faced with immediate issues which vitally concerned the impoverished and suffering people of Europe who are crying for help, for coal, for food, and for most of the necessities of life, and the majority of whom are bitterly disposed towards the Germany that brought about this disastrous situation. The issues also vitally concern the people of Britain and the United States who cannot continue to pour out hundreds of millions of dollars for Germany because current measures were not being taken to terminate expeditiously the necessity for such appropriations.

The critical and fundamental German problems to which I shall confine myself are: (a) the limits to the powers of the central government; (b) the character of the economic system and its relation to all of Europe; (c) the character and extent of reparations; (d) the boundaries for the German state; and (e) the manner in which all Allied states at war with Germany are represented in the drafting and confirmation of the treaty.

All the members of the Council of Foreign Ministers are in apparent agreement as to the establishment of a German state on a self-supporting, democratic basis, with limitations imposed to prevent the reestablishment of military power.

### Central Government

This issue of the degree of centralization of the future German state is of greatest importance. Excessive concentration of power is peculiarly dangerous in a country like Germany which has no strong traditions regarding the rights of the individual and the rights of the community to control the exercise of governmental power. The Soviet Union appears to favor a strong central government. The United States and United Kingdom are opposed to such a government, because they think it could be too readily converted to the domination of a regime similar to the Nazis. They favor a central government of carefully limited powers, all other powers being reserved to the states, or *Lander* as they are called in Germany. The French are willing to agree only to very limited responsibilities for the central government. They fear a repetition of the seizure of power over the whole of Germany carried out by the Hitler regime in 1933.

Under ordinary circumstances there are always strong and differing points of view regarding the character of a governmental reorganization. In this case there are great and justifiable fears regarding the resurrection of German military power, and concern over expressed or concealed desires for quite other reasons.

### German Economy

Regarding the character of the German economic system and its relation to all of Europe, the disagreements are even more serious and difficult of adjustment. German economy at the present time is crippled by the fact that there is no unity of action, and the rehabilitation of Germany to the point where she is self-supporting demands immediate decision.

There is a declared agreement in the desire for economic unity in Germany, but when it comes to the actual terms to regulate such unity there are wide and critical differences. One of the most serious difficulties encountered in the effort to secure economic unity has been the fact that the Soviet-occupied zone has operated practically without regard to the other zones and has made few if any reports of what has been occurring in that zone. There has been little or no disposition to proceed on a basis of reciprocity, and there has been a refusal to disclose the availability of foodstuffs and the degree or character of reparations taken out of this zone.

This unwillingness of the Soviet authorities to cooperate in establishing a balanced economy for Germany as agreed upon at Potsdam has been the most serious check on the development of a self-supporting Germany and a Germany capable of providing coal and other necessities for the neighboring states who have always been dependent on Germany for these items. After long and futile efforts to secure a working accord in this matter, the British and American zones were combined for the improvement of the economic situation, meaning the free movement of excess supplies or produce available in one zone to another where there is a shortage. Our continuing invitation to the French and Soviets to join in the arrangement still exists. This merger is bitterly attacked by the Soviet authorities as a breach of the Potsdam Agreement and as a first step toward the dismemberment of Germany, ignoring the plain fact that their refusal to carry out that agreement was the sole cause of the merger. It is difficult to

regard their attacks as anything but propaganda designed to divert attention from the Soviet failure to implement the economic unity agreed at Potsdam. Certainly some progress towards economic unity in Germany is better than none.

The character of the control over the Ruhr industrial center, the greatest concentration of coal and of heavy industries in Europe, continues a matter of debate. It cannot be decided merely for the purpose of reaching an agreement. Vitally important considerations and future consequences are involved.

#### Reparations

The question of reparations is of critical importance as it affects almost every other question under discussion. This issue naturally makes a tremendous appeal to the people of the Allied states who suffered the terrors of German military occupation and the destruction of their cities and villages.

The results of the Versailles Treaty of 1919 regarding payment of reparations on a basis of dollars, and the difficulties encountered by the Reparations Commission appointed after Yalta in agreeing upon the dollar evaluation of reparations in kind convinced President Truman and his advisers considering the question at Potsdam that some other basis for determining reparations should be adopted if endless friction and bitterness were to be avoided in future years. They succeeded in getting agreement to the principle of reparations to be rendered out of capital assets—that is, the transfer of German plants, machinery, et cetera, to the Allied powers concerned.

It developed at the Moscow Conference that the Soviet officials flatly disagreed with President Truman's and Mr. Byrnes' understanding of the written terms of this agreement. The British have much the same view of this matter as the United States.

We believe that no reparations from current production were contemplated by the Potsdam Agreement. The Soviets strongly oppose this view. They hold that the previous discussions and agreements at Yalta authorize the taking of billions of dollars in reparations out of current production. This would mean that a substantial portion of the daily production of German factories would be levied on for reparation payments, which in turn would mean that the recovery of Germany sufficiently to be self-supporting would be long delayed. It would also mean that the plan and the hope of our Government, that Germany's economic recovery by the end of three years would permit the termination of American appropriations for the support of the German inhabitants of our zone, could not be realized.

The issue is one of great complications, for which agreement must be found in order to administer Germany as an economic whole as the four powers claim that they wish to do.

There is, however, general agreement among the Allies that the matter of the factories and equipment to be removed from Germany as reparations should be reexamined. They recognize the fact that a too drastic reduction in Germany's industrial set-up will not only make it difficult for Germany to become self-supporting but will retard the economic recovery of Europe. The United States has indicated that it would be willing to study the possibility of a limited amount of reparations from current production to compensate for plants, previously scheduled to be removed as reparations to various

Allied countries, which it now appears should be left in Germany; it being understood that deliveries from current production are not to increase the financial burden of the occupying powers or to retard the repayment to them of the advances they have made to keep the German economy from collapsing. The Soviet Government has made no response to this suggestion.

#### *Boundaries*

The issue regarding boundaries to be established for Germany presents a serious disagreement and another example of complete disagreement as to the meaning of the pronouncement on this subject by the heads of the three powers. In the rapid advance of the Soviet armies in the final phase of the war, millions of Germans in eastern Germany fled to the west of the Oder River. The Soviet armies, prior to Potsdam, had placed Poles in charge of this area largely evacuated by the German population. That was the situation that confronted President Truman at Potsdam. Under the existing circumstances, the President accepted the situation for the time being with the agreed three power statement, "The three heads of government reaffirm their opinion that the final delimitation of the western frontier of Poland should await the peace settlement."

The Soviet Foreign Minister now states that a final agreement on the frontier between Germany and Poland was reached at Potsdam, and the expression I have just quoted merely referred to the formal confirmation of the already agreed upon frontier at the peace settlement, thus leaving only technical delimitation to be considered.

The United States Government recognized the commitment made at Yalta to give fair compensation to Poland in the west for the territory east of the Curzon Line incorporated into the Soviet Union. But the perpetuation of the present temporary line between Germany and Poland would deprive Germany of territory which before the war provided more than a fifth of the foodstuffs on which the German population depended. It is clear that in any event Germany will be obliged to support, within much restricted boundaries, not only her pre-war population but a considerable number of Germans from eastern Europe. To a certain extent this situation is unavoidable, but we must not agree to its aggravation. We do not want Poland to be left with less resources than she had before the war. She is entitled to *more*, but it will not help Poland to give her frontiers which will probably create difficulties for her in the future. Wherever the frontiers are drawn, they should not constitute barriers to trade and commerce upon which the well-being of Europe is dependent. We must look toward a future where a democratic Poland and a democratic Germany will be good neighbors.

#### *Peace Treaty Procedure*

There is disagreement regarding the manner in which the Allied powers at war with Germany are to participate in the drafting and confirmation of the German peace treaty. There are 51 states involved. Of these, in addition to the four principal Allied powers, 18 were directly engaged in the fighting, some of course to a much greater extent than others. It is the position of the United States that all Allied states at war with Germany should be given an opportunity to participate to some degree in the drafting and in the making

of the peace treaty, but we recognize that there would be very practical difficulties if not impossibilities in attempting to draft a treaty with 51 nations participating equally at all stages. Therefore, the United States Government has endeavored to secure agreement on a method which involves two different procedures, depending on whether or not the state concerned actually participated in the fighting. But all would have an opportunity to present their views, and rebut other views, and all would sit in the peace conference to adopt a treaty.

It is difficult to get the agreement of the countries that have suffered the horrors of German occupation and were involved in heavy losses in hard fighting to accept participation in the determination of the treaty terms by countries who suffered no losses in men or material and were remote from the fighting. The United States, however, regards it as imperative that all the states who were at war with Germany should have some voice in the settlement imposed on Germany.

#### *Four Power Pact*

The proposal for the Four Power Pact was advanced by the United States Government a year ago. It was our hope that the prompt acceptance of this simple pact ensuring in advance of the detailed German peace settlement that the United States would actively cooperate to prevent the rearmament of Germany would eliminate fears as to the future and would facilitate the making of a peace suitable to Europe's present and future needs. It was our hope that such a commitment by the United States would relieve the fear of the other European powers that the United States would repeat its actions following the first World War, insisting on various terms for the peace settlement and then withdrawing from a position of any responsibility for their enforcement. It was thought that the compact of the four powers to guarantee the continued demilitarization of Germany would reassure the world that we were in complete accord in our intention to secure the peace of Europe.

However, the Soviet Government met our proposition with a series of amendments which would have completely changed the character of the pact, making it in effect a complicated peace treaty, and including in the amendments most of the points regarding the German problem concerning which there was, as I have pointed out, serious disagreement. I was forced to the conclusion by this procedure that the Soviet Government either did not desire such a pact or was following a course calculated to delay any immediate prospect of its adoption. Whether or not an agreement can finally be reached remains to be seen, but the United States, I think, should adhere to its present position and insist that the pact be kept simple and confined to its one basic purpose—to keep Germany incapable of waging war.

#### *Austrian Treaty*

The negotiations regarding the Austrian treaty resulted in agreement on all but a few points, but these were basic and of fundamental importance. The Soviet Union favors and the other governments oppose the payment of reparations and the cession of Carinthia to Yugoslavia.

But the Soviet Government attached much more importance to its demand that the German assets in Austria which are to be hers by the terms of the Potsdam Agreement should include those assets which the

other three powers consider to have been taken from Austria and the citizens of the United Nations by force or duress by Hitler and his Nazi government following the taking over of Austria by military force in March 1938. The Soviet Government refused to consider the word *duress*, which in the opinion of the other three powers would be the critical basis for determining what property, that is, business, factories, land, forests, et cetera, was truly German property and not the result of seizures by terroristic procedure, intimidation, fake business acquisition, and so forth. The Soviet Union also refused to consider any process of mediation to settle the disputes that are bound to arise in such circumstances, nor would they clearly agree to have such property as they receive as German assets subject to Austrian law in the same manner as other foreign investments are subject to Austrian law.

The acceptance of the Soviet position would mean that such a large portion of Austrian economy would be removed from her legal control that Austrian chances of surviving as an independent self-supporting state would be dubious. She would in effect be but a puppet state.

All efforts to find a compromise solution were unavailing. The United States, in my opinion, could not commit itself to a treaty which involved such manifest injustices and, what is equally important, would create an Austria so weak and helpless as to be the source of great danger in the future. In the final session of the Conference, it was agreed to appoint a Commission to meet in Vienna May 12th to reconsider our disagreements and to have a Committee of Experts examine into the question of the German assets in Austria. Certainly prompt action on the Austrian treaty is necessary to fulfil our commitment to recognize Austria as a free and independent state and to relieve her from the burdens of occupation.

#### Summary

Complicated as these issues are, there runs through them a pattern as to the character and control of central Europe to be established. The Foreign Ministers agreed that their task was to lay the foundations of a central government for Germany, to bring about the economic unity of Germany essential for its own existence as well as for European recovery, to establish workable boundaries, and to set up a guaranteed control through a four-power treaty. Austria was to be promptly relieved of occupation burdens and treated as a liberated and independent country.

Agreement was made impossible at Moscow because, in our view, the Soviet Union insisted upon proposals which would have established in Germany a centralized government, adapted to the seizure of absolute control of a country which would be doomed economically through inadequate area and excessive population, and would be mortgaged to turn over a large part of its production as reparations, principally to the Soviet Union. In another form the same mortgage upon Austria was claimed by the Soviet Delegation.

Such a plan, in the opinion of the United States Delegation, not only involved indefinite American subsidy, but could result only in a deteriorating economic life in Germany and Europe and the inevitable emergence of dictatorship and strife.

Freedom of information for which our Government stands inevitably involves appeals to public opinion. But at Moscow propaganda

appeals to passion and prejudice appeared to take the place of appeals to reason and understanding. Charges were made by the Soviet Delegation and interpretation given the Potsdam and other agreements, which varied completely from the facts as understood or as factually known by the American Delegation.

There was naturally much uncertainty regarding the real intention or motives of the various proposals submitted or of the objections taken to the proposals. This is inevitable in any international negotiations.

However, despite the disagreements referred to and the difficulties encountered, possibly greater progress towards final settlement was made than is realized.

The critical differences were for the first time brought into the light and now stand clearly defined so that future negotiations can start with a knowledge of exactly what the issues are that must be settled. The Deputies now understand the precise views of each government on the various issues discussed. With that they can possibly resolve some differences and surely can further clarify the problems by a studied presentation of the state of agreement and disagreement. That is the best that can be hoped for in the next few months. It marks some progress, however painfully slow. These issues are matters of vast importance to the lives of the people of Europe and to the future course of world history. We must not compromise on great principles in order to achieve agreement for agreement's sake. Also, we must sincerely try to understand the point of view of those with whom we differ.

In this connection, I think it proper to refer to a portion of a statement made to me by Generalissimo Stalin. He said with reference to the Conference, that these were only the first skirmishes and brushes of reconnaissance forces on this question. Differences had occurred in the past on other questions, and as a rule, after people had exhausted themselves in dispute, they then recognized the necessity of compromise. It was possible that no great success would be achieved at this session, but he thought that compromises were possible on all the main questions, including demilitarization, political structure of Germany, reparations and economic unity. It was necessary to have patience and not become pessimistic.

I sincerely hope that the Generalissimo is correct in the view he expressed and that it implies a greater spirit of cooperation by the Soviet Delegation in future conferences. But we cannot ignore the factor of time involved here. The recovery of Europe has been far slower than had been expected. Disintegrating forces are becoming evident. The patient is sinking while the doctors deliberate. So I believe that action cannot await compromise through exhaustion. New issues arise daily. Whatever action is possible to meet these pressing problems must be taken without delay.

Finally, I should comment on one aspect of the matter which is of transcendent importance to all our people. While I did not have the benefit, as did Mr. Byrnes, of the presence of the two leading members of the Senate Foreign Relations Committee, I did have the invaluable assistance of Mr. Dulles, a distinguished representative of the Republican party as well as a recognized specialist in foreign relations and in the processes of international negotiations and treaty-making.

As a matter of fact, the bipartisan character of the American attitude in the present conduct of foreign affairs was clearly indicated by the strong and successful leadership displayed in the Senate during the period of this Conference by Senators Vandenberg and Connally in the debate over a development of our foreign policy of momentous importance to the American people. The fact that there was such evident unity of purpose in Washington was of incalculable assistance to me in Moscow. The state of the world today and the position of the United States make mandatory, in my opinion, a unity of action on the part of the American people. It is for that reason that I have gone into such lengthy detail in reporting my views on the conference.

*Report by Secretary of State Marshall on the Fifth Session of the Council of Foreign Ministers, December 19, 1947<sup>1</sup>*

### REPORT BY SECRETARY MARSHALL

The result of the recent meeting of the Council of Foreign Ministers in London was disappointing. I realize that the many lengthy statements and the frequent and fundamental disagreements were very confusing to the general public. Also, the continuous accusations against the good faith, the integrity, and the purposes of the governments of the western powers, particularly the United States, necessarily added greatly to the confusion. This was, as a matter of fact, one of the purposes of these attacks.

I anticipated great difficulty in reaching a comprehensive agreement, but I did have a hope that we might take three or four fundamental decisions which would permit immediate action by the Four Powers to alleviate the situation in Germany this winter and greatly improve the prospects for all of Europe. That we failed to reach any such agreements is the greatest disappointment.

The United States Delegation went to London with an open mind, as I had stated we would in Chicago, but we went with a strong determination to bring to an end the division of Germany which has existed since the German capitulation. We were also determined that any agreement reached at London should be a genuine workable agreement, and not one which would immediately involve obstruction and frustration in the Allied Control Council when it came to be put into effect in Germany.

I shall review only briefly the interminable discussions during the weeks of debate at London. To us it was but a dreary repetition of what had been said and resaid at the Moscow conference. I shall endeavor, however, to point out the main issues on which the Conference deadlocked and give you my estimate of the underlying reasons.

The basic issue, as we saw it before the opening of the London conference, was whether or not the Allies could agree among themselves to reunite Germany.

The issue in regard to the Austrian treaty was even simpler and had already emerged clearly at the Moscow conference.

<sup>1</sup> *Ibid.*, pp. 63-67. The Fifth Session of the Council was held at London from November 25 to December 16, 1947.

Because the two main issues which I have outlined would be the controlling factors in our discussions, three of the delegations had agreed that the Austria treaty should be considered first and the economic principles to govern the treatment of Germany as an economic whole should come second. We felt that this order was logical and necessary if we were to debate with any prospect of success the remaining items on our agenda. The Soviet Delegation held a different view and insisted that questions on the preparation of a German peace treaty should be given precedence over the questions regarding immediate economic unity for Germany.

In order to get the Conference started, it was finally agreed to accept the Soviet request that the preparation of a German peace treaty should be item two on the agenda. As a result, with the exception of one day of discussion of Austria and the Austrian treaty, it was not until after 10 days of meetings that the Conference really reached the heart of the German question. These first 10 meetings were devoted to futile and somewhat unreal discussion of the mechanisms for the preparation of an eventual German peace treaty before the question of whether or not there was to be a united Germany had even been considered. There was one question, however, of real substance during this phase of the discussion which had a direct application not only to a German peace treaty but also to the immediate situation in Germany. This was the question of the present and future frontiers of the German state. No serious consideration of a peace treaty could be undertaken without first considering what was to be the area of the future German state. Three delegations had already expressed their agreement that the area of the Saar should be separated from Germany and integrated into French economy. Mr. Molotov refused to commit his Government on this point.

On this vital matter of frontiers, three delegations agreed to the establishment of a frontier commission or commissions to make an expert study of any proposed changes from the prewar frontiers. Mr. Molotov refused to agree. It was impossible for me to reconcile his urgent insistence upon the necessity of expediting the preparation for a German peace treaty with his categoric refusal to agree to the appointment of boundary commissions, which three delegations considered to be an absolutely essential first step in any serious preparation for a future German peace settlement.

Many other questions concerning the actual preparation of any peace treaty were discussed without agreement.

It was during this stage of the debate that Mr. Molotov insisted that the Four Powers should agree upon the immediate establishment of a German central government. Although the United States had been, I believe, the first of the four occupying countries to suggest at Moscow the desirability for the earliest possible establishment of a German provisional central government, it was obvious that until the division of Germany had been healed and conditions created for German political and economic unity, any central government would be a sham and not a reality. This view was shared by the other western delegations but to Mr. Molotov was completely unacceptable. This was the first clear evidence of his purpose to utilize the meeting as an opportunity for propaganda declarations which would be pleasant to German ears.

After several days of consideration by the deputies, the Austrian treaty was again brought to the conference table on December 4. The sole issue discussed was the determination of what were the true German assets in eastern Austria to which the Soviet Union was fully entitled by the Potsdam agreement. This had been the stumbling block in reaching final agreement on the treaty draft, and it was an issue which would determine whether or not Austria would be under such complete economic domination by the Soviet Union that it would be virtually a vassal state.

The French had endeavored to break the impasse by submitting a compromise proposal, but this was categorically refused by the Soviet Delegate. In the last hour of the final session of the Conference, Mr. Molotov indicated an apparent willingness to accept a percentage reduction in the Soviet claims, without specifying the actual amount involved in his proposal. The matter was immediately referred to the deputies, and I was informed just prior to my departure from England that the Soviet Government would submit later a detailed proposition.

It was not until the tenth meeting that the Conference finally came to the heart of the problem—to a consideration of the harsh realities of the existing situation in Germany.

Several more days were to elapse, however, before the Council really came to grips with these realities. Discussions of procedure—of what document to discuss—again intervened to delay our work. However, on Monday, December eighth, the procedural issues were resolved, and the Council began the consideration of the fundamental issues which eventually led to the adjournment of the session without agreement.

I shall endeavor to indicate briefly what those issues were without reciting the involved and prolonged discussions over individual items.

The general issue was simple. It was whether or not Germany was to continue divided or whether the Allies could agree to recreate a unified Germany. Unless this could be achieved, all other questions relating to Germany would remain academic.

What then were the particular obstacles to the achievement of German economic and political unity?

The United States Delegation considered that there were certain fundamental decisions which the four occupying powers should take if Germany unity was to be achieved. These were:

1. The elimination of the artificial zonal barriers to permit free movement of persons, ideas, and goods throughout the whole territory of Germany.
2. The relinquishment by the occupying powers of ownership of properties in Germany seized under the guise of reparations without Four Power agreement.
3. A currency reform involving the introduction of new and sound currency for all Germany.
4. A definite determination of the economic burdens which Germany would be called upon to bear in the future, that is, the costs of occupation, repayment of sums advanced by the occupying powers, and reparations.
5. An over-all export-import plan for all of Germany.

When these basic measures have been put into effect by the occupying powers, then the establishment under proper safeguards of a provisional government for all Germany should be undertaken.

Reparations soon emerged as a key issue. For the benefit of those not fully familiar with past negotiations on this subject, I wish to explain that a definite agreement had been concluded two years ago at Potsdam that reparation payments would be made by the transfer of surplus capital assets, that is, factories, machinery, and assets abroad, and not by payments from time to time out of the daily output of German production. One reason for this decision was to avoid an issue that would continue through the years between Germany and the Allies and between the Allies themselves concerning her ability to pay and the actual value of payments which had been made in goods. Also, it was clearly evident that for many years Germany would be involved in a desperate struggle to build up sufficient foreign trade to pay for the food and other items on which she will be dependent from outside sources. The best example of this phase of the situation that I can give is the present necessity for Great Britain and the United States to pay out some 700 millions a year to provide the food and other items to prevent starvation and rather complete disintegration of that portion of Germany occupied by our forces.

In other words, reparations from current production—that is, exports of day to-day German production with no return—could be made only if the countries at present supplying Germany—notably the United States—foot the bill. We put in and the Russians take out. This economic truth, however, is only one aspect of Soviet reparation claims. In the eastern zone of Germany the Soviet Union has been taking reparations from current production and has also, under the guise of reparation, seized vast holdings and formed them into a gigantic trust embracing a substantial part of the industry of that zone. This has resulted in a type of monopolistic stranglehold over the economic and political life of eastern Germany which makes that region little more than a dependent province of the Soviet Union. A very strong reason, in my opinion, for our failure to agree at London was the Soviet determination not to relax in any way its hold on eastern Germany. Acceptance of their claims for reparations from current production from the western zones would extend that stranglehold over the future economic life of all Germany.

The Soviet position was nowhere more clearly indicated than by Mr. Molotov's categoric refusal to furnish the Council of Foreign Ministers with information concerning the reparations already taken from the eastern zone, or indeed any information at all concerning the situation there, until full agreements had been reached. In effect we were to tell them what has occurred in the western zones, which we had already done, and they tell us nothing. That refusal to provide information absolutely essential for decisions as to the organization of German unity would by itself have made any agreement impossible. A remarkable illustration of the Soviet position in this matter was their carping criticism of the economic procedure in our zones, which we freely publish for the world to read, while virtually in the same breath blandly refusing to provide any data at all concerning their zone.

It finally became clear that we could make no progress at this time—that there was no apparent will to reach a settlement but only an interest in making more and more speeches intended for another audience. So I suggested that we adjourn. No real ground was lost or gained at the meeting, except that the outlines of the problems and the obstacles are much clearer. We cannot look forward to a unified Germany at this time. We must do the best we can in the area where our influence can be felt.

All must recognize that the difficulties to be overcome are immense. The problems concerned with the treaty settlements for Italy and the satellite countries were simple by comparison, since none of those countries were divided into zones of occupation and all of them had an existing form of government. Germany by contrast is subdivided into four pieces—four zones. No trace of national government remains.

There is another and I think even more fundamental reason for the frustration we have encountered in our endeavor to reach a realistic agreement for a peace settlement. In the war struggle Europe was in a large measure shattered. As a result a political vacuum was created, and until this vacuum has been filled by the restoration of a healthy European community, it does not appear possible that paper agreements can assure a lasting peace. Agreements between sovereign states are generally the reflection and not the cause of genuine settlements.

It is for this very reason, I think, that we encountered such complete opposition to almost every proposal the western powers agreed upon. The Soviet Union has recognized the situation in its frank declaration of hostility and opposition to the European Recovery Program. The success of such a program would necessarily mean the establishment of a balance in which the 16 western nations, who have bound their hopes and efforts together, would be rehabilitated, strong in forms of government which guarantee true freedom, opportunity to the individual, and protection against the terror of governmental tyranny.

The issue is really clear-cut, and I fear there can be no settlement until the coming months demonstrate whether or not the civilization of western Europe will prove vigorous enough to rise above the destructive effects of the war and restore a healthy society. Officials of the Soviet Union and leaders of the Communist Parties openly predict that this restoration will not take place. We on the other hand are confident in the rehabilitation of western European civilization with its freedoms.

Now, until the result of this struggle becomes clearly apparent, there will continue to be a very real difficulty to resolve, even on paper, agreed terms for a treaty of peace. The situation must be stabilized. Western nations at the very least must be firmly established on a basis of government and freedoms that will preserve all that has been gained in the past centuries by these nations and all that their cooperation promises for the future.

*London Communiqué on Germany, by the United States, the United Kingdom, France, and the Benelux Countries, March 6, 1948<sup>1</sup>*

## LONDON SIX POWER CONFERENCE

The informal discussions of German problems which began in London on 23rd February between the representatives of the United States, United Kingdom and France, and as from February 26th with the representatives of the Benelux countries, went into recess today.

At the request of the other delegations, the meetings were held under the chairmanship of the U.K. representative, Sir William Strang. The U.S. and French delegations were led by Mr. Douglas and M. Massigli, the U.S. and French Ambassadors in London. At the first meeting it was agreed to invite the Benelux countries to take part, on an equal footing, in the discussions of all items on the agenda, except those dealing with administrative matters which are the direct responsibility of the occupying powers controlling the three occupied areas. The chief representatives of the Benelux delegation were Jonkheer Michiels van Verdunnen, the Netherlands Ambassador, Viscount Oberth de Thiesius, the Belgian Ambassador, and M. Claessen, the Luxembourg Minister.

Important progress has been made and it has been decided that these discussions will be resumed during April for the purpose of reaching conclusions on the remaining question, so that the delegations may be in a position to submit to their governments, at the end of the next session, their recommendations over the whole field. In the meantime various aspects of certain of these problems will be the subject of more detailed examinations.

The continuous failure of the Council of Foreign Ministers to reach quadripartite agreement has created a situation in Germany which if permitted to continue, would have increasingly unfortunate consequences for western Europe. It was therefore necessary that urgent political and economic problems arising out of this situation in Germany should be solved. The participating powers had in view the necessity of ensuring the economic reconstruction of western Europe including Germany, and of establishing a basis for the participation of a democratic Germany in the community of free peoples. While delay in reaching these objectives can no longer be accepted, ultimate Four Power agreement is in no way precluded.

The various items on the agenda were the subject of a detailed study, with the exception of security questions, which were given preliminary examination and will be considered in detail upon resuming the discussion. Similarly discussion of territorial questions will be held over until the next session.

Discussions took place among the U.S., U.K., and French delegations on certain limited aspects of the question of reparations from Germany relating to internal policy in the Zones for which they are responsible as occupying powers.

The relationship of western Germany under the occupying powers to the European Recovery Programme was also discussed by the U.S.

<sup>1</sup> The London six-power conference was held February 23-June 2, 1948. Text of March 6 communiqué from *Ibid.*, pp. 75-76. See also Marshal Rokhlosky's statements at the Allied Control Council on March 20, 1948 (*The Soviet Union and the Berlin Question (Documents)* (Moscow, 1948), pp. 18-20).

U.K. and French delegations. It was agreed that for the political and economic well being of the countries of western Europe and of democratic Germany there must be a close association of their economic life. Since it has not proved possible to achieve economic unity in Germany, and since the eastern zone has been prevented from playing its part in the European Recovery Programme, the three western powers have agreed that close cooperation should be established among themselves and among the occupation authorities in western Germany in all matters arising out of the European Recovery Programme in relation to western Germany. Such cooperation is essential if western Germany is to make its full and proper contribution to European recovery. It was also agreed to recommend to the three governments that the combined zone and the French zone should be fully associated in the European Recovery Programme and adequately represented on any continuing organization. Proposals in this sense will be presented at the forthcoming meeting of the CEEC.

Agreement in principle has been reached on recommendations for the association of the Benelux countries in policy regarding Germany. Consideration was given of all delegations to the establishment of an international control of the Ruhr on which Germany would be represented. The purpose of this international control would be to ensure that the economic resources of this area should not again be used for the purposes of aggression and that there should be adequate access to the coal, coke and steel of the Ruhr for the benefit of extensive parts of the European community including Germany. Agreed recommendations in this respect will be submitted to the governments concerned on the scope and form of this control.

A constructive discussion among all the delegations took place on the present situation and the possible evolution of the political and economic organization of Germany in the combined U.S.-U.K. zone and the French zone. A wide measure of agreement was reached on a number of controversial points. In particular it was agreed that a federal form of government, adequately protecting the rights of the respective states but at the same time providing for adequate control authority, is best adapted for the eventual reestablishment of German unity, at present disrupted. Moreover, in order to facilitate the association of western Germany with the European Recovery Programme the three delegations concerned further agreed that prompt action should be taken to coordinate as far as possible the economic policies of the three zones, in such matters as foreign and inter-zonal trade, customs, and freedom of movement for persons and goods.

*Statement by the Department of State on the Malik-Jesup Talks,  
April 26, 1949<sup>1</sup>*

### INFORMAL CONVERSATIONS ON BERLIN BLOCKADE

Since the imposition by the Soviet Government of the blockade of the city of Berlin the three Western Governments have consistently sought to bring about the lifting of that blockade on terms consonant

<sup>1</sup> Department of State Bulletin, May 1, 1949, pp. 200-201.

with their rights, duties, and obligations as occupying powers in Germany. It was in conformity with this policy that the Western Governments initiated conversations in Moscow last summer. Following their breakdown, the matter was referred in September 1948 to the Security Council of the United Nations.

All these efforts ended in failure, and the three Western Governments made it plain that they were not prepared to continue discussions in the light of the Soviet attitude.

Since that time the Western Governments have looked consistently for any indication of a change in the position of the Soviet Government and have been anxious to explore any reasonable possibility in that direction through contacts with Soviet officials.

In this connection the Department of State noted with particular interest that on January 30, 1949, Premier Stalin made no mention of the currency question in Berlin in his reply to questions asked him by an American journalist. Since the currency question had hitherto been the announced reason for the blockade, the omission of any reference to it by Premier Stalin seemed to the Department to indicate a development which should be explored.

With these considerations in mind, Mr. Jessup, then the U.S. Deputy Representative on the Security Council, took occasion, in a conversation on February 13 with Mr. Malik, the Soviet Representative on the Security Council, to comment on the omission by Premier Stalin of any reference to the currency question. Since this question had been the subject of much discussion in the Security Council and in the Experts Committee appointed under the auspices of the Council, Mr. Jessup inquired whether the omission had any particular significance.

One month later, on March 15, Mr. Malik informed Mr. Jessup that Premier Stalin's omission of any reference to the currency problem in regard to Berlin was "not accidental," that the Soviet Government regarded the currency question as important but felt that it could be discussed at a meeting of the Council of Foreign Ministers if a meeting of that body could be arranged to review the whole German problem. Mr. Jessup inquired whether this meant that the Soviet Government had in mind a Foreign Ministers' meeting while the blockade of Berlin was in progress or whether it indicated that the blockade would be lifted in order to permit the meeting to take place.

The information as to the Soviet Government's attitude revealed in these informal contacts was immediately conveyed to the British and French Governments.

On March 21 Mr. Malik again asked Mr. Jessup to visit him to inform him that if a definite date could be set for the meeting of the Council of Foreign Ministers, the restrictions on trade and transportation in Berlin could be lifted reciprocally and that the lifting of the blockade could take place in advance of the meeting.

Taking advantage of the presence of the Foreign Ministers of Great Britain and France in Washington, the recent developments in regard to the Soviet attitude were discussed with them.

An agreed position was reached among the three Western Powers. In order that there should be no misunderstanding in the mind of the Soviet Government in regard to this position, a statement was read to Mr. Malik by Mr. Jessup on April 5. The purpose of this statement, which represented the agreed position of the three Western

Powers, was to make clear that the points under discussion were the following:

1. Reciprocal and simultaneous lifting of the restrictions imposed by the Soviet Union since March 1, 1948, on communications, transportation, and trade between Berlin and the Western zones of Germany and the restrictions imposed by the Three Powers on communications, transportation, and trade to and from the East zone of Germany.

2. The fixing of a date to be determined for a meeting of the Council of Foreign Ministers.

The Western Powers wished to be sure that these two points were not conditioned in the understanding of the Soviet Government on any of the other points which in the past had prevented agreement upon the lifting of the blockade.

The statement summarized the understanding of the three Governments of the position which the Soviet Government took concerning the proposal of lifting the blockade and the meeting of the Council of Foreign Ministers. Its purpose was to make unmistakably clear that the position of the Soviet Government was as now stated in the release of the Tass Agency.

On April 10 Mr. Malik again asked Mr. Jessup to call upon him at that time and again stated the position of the Soviet Government. From this statement it appeared that there were still certain points requiring clarification.

As a result of this meeting, further discussions took place between the three Governments, which have resulted in a more detailed formulation of their position, which will be conveyed by Mr. Jessup to Mr. Malik.

If the present position of the Soviet Government is as stated in the Tass Agency release as published in the American press, the way appears clear for a lifting of the blockade and a meeting of the Council of Foreign Ministers. No final conclusion upon this can be reached until further exchanges of view with Mr. Malik.

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#### *Four-Power Communiqué, on Agreement on Lifting the Berlin Blockade, New York, May 4, 1949<sup>1</sup>*

The Governments of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States have reached the following agreement:

1. All the restrictions imposed since March 1, 1948 by the Government of the Union of Soviet Socialist Republics on communications, transportation, and trade between Berlin and the Western zones of Germany and between the Eastern zone and the Western zones will be removed on May 12, 1949.

2. All the restrictions imposed since March 1, 1948 by the Governments of France, the United Kingdom, and the United States, or any one of them, on communications, transportation, and trade between Berlin and the Eastern zones and between the Western and Eastern zones of Germany will also be removed on May 12, 1949.

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<sup>1</sup> *Germany, 1947-1949: The Story in Documents*, p. 274.

3. Eleven days subsequent to the removal of the restrictions referred to in paragraphs one and two, namely, on May 23, 1949, a meeting of the Council of Foreign Ministers will be convened in Paris to consider questions relating to Germany and problems arising out of the situation in Berlin, including also the question of currency in Berlin.

*Statement of Principles for Berlin, by the Allied (Western) Kommandatura, May 14, 1949<sup>1</sup>*

**STATEMENT OF PRINCIPLES GOVERNING THE RELATIONSHIP BETWEEN THE ALLIED KOMMANDATURA AND GREATER BERLIN**

1. (a) Greater Berlin shall have, subject only to the limitations set out in this statement, full legislative and executive and judicial powers in accordance with the Temporary Constitution of 1946 or with any subsequent Constitution adopted by the City Assembly and approved by the Allied Kommandatura in accordance with the provisions of this statement;

(b) Article 36 of the Temporary Constitution of Berlin will be held in suspense and BK/O(47)34 and BK/O(47)56 which were issued in implementation of that article, will be annulled.

2. In order to ensure the accomplishment of the basic purpose of Occupation, powers in the following fields are specifically reserved to the Allied Kommandatura, including the right to request and verify information and statistics needed by the Occupation Authorities.

(a) Disarmament and demilitarization, including related fields of scientific research, prohibitions and restrictions on industry and civil aviation;

(b) Restitution, reparations, decartelization, deconcentration, non-discrimination in trade matters, foreign interests in Berlin and claims against Berlin, or its inhabitants;

(c) Relations with authorities abroad;

(d) Displaced persons and the admission of refugees;

(e) Protection, prestige and security of Allied Forces, dependents, employees and representatives, their immunities and satisfaction of occupation costs and their other requirements;

(f) Respect for the Temporary Constitution of Berlin of 1946 or of any Constitution which may be approved by the Allied Kommandatura to replace the Temporary Constitution;

(g) Control over foreign trade and exchange;

(h) Control over internal action, only to the minimum extent necessary to ensure use of funds, food and other supplies in such manner as to reduce to a minimum the need for external assistance to Berlin;

(i) Control of the care and treatment in German prisons of persons charged before or sentenced by the courts or tribunals of the Occupying Powers or Occupation Authorities; over the

<sup>1</sup> Berlin. Development of Its Government and Administration (Monograph No. 18, EICOG Historical Division), pp. 192-195.

carrying out of sentences imposed on them and other questions of amnesty, pardon, or release in relation to them;

(j) Supervision of the Berlin Police, in view of the special circumstances prevailing in Berlin, in a manner to be defined in an additional document which will be issued by the Allied Kommandatura on this subject;

(k) Legislation or action tending to restrict the freedom of speech, the press, assembly, or association, until such time as these four basic rights are guaranteed by the Berlin Constitution;

(l) Such controls as have been or may be imposed by the Allied Kommandatura to ensure that counter blockade measures, including measures in connection with the airlift and the restriction of exports, shall remain effective during the continuance of the blockade;

(m) Control of banking, currency, and credit policy so that it may be fully coordinated with the banking and credit policies of larger areas of Germany under Allied supervision.

3. (a) It is the hope and expectation of the Commandants that the Occupation Authorities will not have occasion to take action in fields other than those specifically reserved above. The Occupation Authorities, however, reserve the right to resume in whole or in part the exercise of full authority if they consider that to do so is essential to security or to preserve democratic government, or in pursuance of the international obligations of their Governments. Before doing so, they will formally advise the appropriate Berlin Authorities of their decision and of the reasons therefor;

(b) In addition, in the special circumstances prevailing in Berlin, the Occupation Authorities reserve the right to intervene, in an emergency, and issue orders to ensure the security, good order and financial and economic stability of the City.

4. Greater Berlin shall have the power, after due notification to the Allied Kommandatura, to legislate and act in the fields reserved to the Allied Kommandatura, except as the Allied Kommandatura itself otherwise specifically directs, or as such legislation or action would be inconsistent with decisions or actions taken by the Occupation Authorities themselves.

5 Any amendment to the Temporary Constitution, any new Constitution approved by the City Assembly designed to replace the Temporary Constitution, any amendment to such new Constitution, or legislation in the fields reserved above will require the express approval of the Allied Kommandatura before becoming effective. All other legislation will become effective 21 days after official receipt by the Allied Kommandatura unless previously disapproved by them provisionally or finally. The Allied Kommandatura will not disapprove such legislation unless, in their opinion, it is inconsistent with the Constitution in force, legislation or other directives of the Occupation Authorities themselves, or the provisions of this statement, or unless it constitutes a grave threat to the basic purposes of the Occupation.

6. Subject only to the requirements of their security, the Occupation Authorities guarantee that all agencies of the Occupation will respect the civil rights of every person to be protected against arbitrary arrest, search, or seizure, to be represented by counsel, to be admitted to appeal

as circumstances warrant, to communicate with relatives, and to have a fair, prompt trial.

7. Orders and instructions of the Allied Kommandatura or the Sector Military Governments, issued before the date of this statement, shall remain in force until repealed or amended by the Allied Kommandatura or the Sector Military Governments as appropriate in accordance with the following provisions:

(a) The Allied Kommandatura and Sector Military Government orders or instructions relating to reserved subjects will remain in force and will be codified;

(b) The Allied Kommandatura and Sector Military Governments will, as soon as possible, cancel all orders and instructions which are inconsistent with this statement. It may be necessary for certain of these orders and instructions to remain in force until they are replaced by City legislation. In such cases, the Allied Kommandatura or the Sector Military Government, as appropriate, will repeal such orders and instructions on the request of the City Government.

*Agreement on a Revised Internal Procedure for the Allied (Western) Kommandatura, June 7, 1949<sup>1</sup>*

1. The Allied Kommandatura, composed of the Commandants of the United States, French, and British Sectors, their Deputies, and the necessary technical committees and staffs shall continue as the Agency for the Allied control of Berlin.

2. The nature and extent of controls exercised by the Allied Kommandatura shall be in harmony with the memorandum forwarded to the Oberbuergermeister setting out the principles which shall govern the relationship between the Allied Kommandatura and Greater Berlin, and also with any relevant international agreements made by the respective governments.

3. In order to permit Greater Berlin to exercise increased responsibilities over domestic affairs, and to reduce the burden of Occupation costs, staff personnel shall be kept to a minimum.

4. In the exercise of the powers reserved to the Allied Kommandatura to approve amendments to the Temporary Constitution of Berlin of 1946, or approve any new Constitution drawn up by the City Assembly to replace the Temporary Constitution, or to approve amendments to any such new Constitution, the decisions of the Allied Kommandatura shall require unanimous agreement.

5. On all other matters action shall be by majority vote.

6. (a) The Allied Kommandatura shall not alter or modify any intergovernmental agreement, or any decision of the Allied High Commission, without approval by the Allied High Commission for such action.

(b) If a Commandant considers that a majority decision conflicts with any intergovernmental agreement, or any decision of the Allied High Commission, or with the fundamental principles for the conduct of Germany's external relations, or with matters essential to the secu-

<sup>1</sup> *Ibid.*, pp. 200-201

rity, prestige, and requirements of the Occupying Forces, he may appeal to the Allied High Commission. Such an appeal shall serve to suspend action for 30 days, and thereafter unless two of the High Commissioners indicate that the grounds do not justify further suspension.

(c) If such an appeal is from an action of the Allied Kommandatura either declining to disapprove or deciding to disapprove German legislation, such legislation shall be provisionally disapproved for the duration of the appeal period.

7. A Commandant who considers that a decision made by less than unanimous vote involving any other matter reserved by the "State of Principles Governing the Relationship between the Allied Kommandatura and Greater Berlin" is not in conformity with basic tripartite policies regarding Germany, may appeal to the Allied High Commission. An appeal in this case shall serve to suspend action for a period not to exceed 21 days from the date of the decision unless the Allied High Commission decides otherwise. If such appeal is from an action of the Allied Kommandatura either declining to disapprove or deciding to disapprove German legislation, such legislation shall be provisionally disapproved for the duration of the appeal period.

8. All powers of the Allied Kommandatura shall be uniformly exercised in all Sectors of Berlin under the control of the Allied Kommandatura, in accordance with tripartite policies and directives.

9. (a) The Chairmanship of the Allied Kommandatura shall rotate on a monthly basis.

(b) The number of Committees shall be kept to a minimum consistent with efficiency.

10. This Agreement will be subject to review by the Commandants on termination of the present exceptional circumstances in Berlin, or whenever, in the opinion of a Commandant, such review is deemed desirable for other reasons.

*Communiqué on the Sixth Session of the Council of Foreign Ministers, June 20, 1949<sup>1</sup>*

[Extract]

The Sixth Session of the Council of Foreign Ministers, attended by the Ministers of Foreign Affairs of France, M. Robert Schuman; of the Union of Soviet Socialist Republics, Mr. A. Y. Vyshinsky; of the United Kingdom, the Right Honorable Ernest Bevin; and of the United States of America, Mr. Dean Acheson, took place in Paris from May 23 to June 20, 1949. During this meeting the German question and the Austrian treaty were discussed. The Council of Foreign Ministers took the following decisions.

### I. THE GERMAN QUESTION

Despite the inability at this session of the Council of Foreign Ministers to reach agreement on the restoration of the economic and political unity of Germany, the Foreign Ministers of France, the Union of Soviet Socialist Republics, the United Kingdom, and the

<sup>1</sup> *Germany, 1947-1949 - The Story in Documents*, pp. 69-70.

United States will continue their efforts to achieve this result and in particular now agree as follows:

1. During the course of the Fourth Session of the General Assembly of the United Nations to be convened next September, the four Governments, through representatives at the Assembly, will exchange views regarding the date and other arrangements for the next session of the Council of Foreign Ministers on the German question.

2. The occupation authorities, in the light of the intention of the Ministers to continue their efforts to achieve the restoration of the economic and political unity of Germany, shall consult together in Berlin on a quadripartite basis.

3. These consultations will have as their purpose, among others, to mitigate the effects of the present administrative division of Germany and of Berlin, notably in the matters listed below.

(A) Expansion of trade and development of the financial and economic relations between the western zones and the eastern zone and between Berlin and the zones.

(B) Facilitation of the movement of persons and goods and the exchange of information between the western zones and the eastern zone and between Berlin and the zones.

(C) Consideration of questions of common interest relating to the administration of the four sectors in Berlin with a view to normalizing as far as possible the life of the city.

4. In order to assist in the work envisaged in paragraph 3, the respective occupation authorities may call upon German experts and appropriate German organizations in their respective jurisdictions for assistance. The Germans so called upon should exchange pertinent data, prepare reports, and, if agreed between them, submit proposals to the occupation authorities.

5. The Governments of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States agree that the New York Agreement of May 4, 1949 shall be maintained. Moreover, in order to promote further the aims set forth in the preceding paragraphs and in order to improve and supplement this and other arrangements and agreements as regards the movement of persons and goods and communications between the eastern zone and the western zones and between the zones and Berlin, and also in regard to transit, the occupation authorities, each in his own zone, will have an obligation to take the measures necessary to ensure the normal functioning and utilization of rail, water, and road transport for such movement of persons and goods and such communications by post, telephone, and telegraph.

6. The occupation authorities will recommend to the leading German economic bodies of the eastern and western zones to facilitate the establishment of closer economic ties between the zones and more effective implementation of trade and other economic agreements.

\* \* \* \* \*

***Declaration by the German Federal Republic, on Free Elections,  
March 22, 1950<sup>1</sup>***

The German Federal Republic has since its establishment recognized no more binding duty than the re-establishment of German unity. It is aware that the desired form of government embracing all Germany must come from the free decision of the entire German people.

The Federal Government has noted with satisfaction the proposal of the American High Commissioner McCloy that all German elections be held. The British High Commissioner has also expressed the same point of view. The Federal Government is convinced that the French High Commissioner also shares this view. Members of the Soviet Government have made it apparent in the Foreign Ministers conferences and in official announcements that the Soviet Union likewise desires a united Germany.

In the opinion of the Federal Government this goal can be achieved in the following way:

1. All German elections for a National Constituent Assembly will be proclaimed following the promulgation of an election law by the four occupying powers.

2. Elections for the National Assembly shall in all parts of Germany fall under the control of commissions which consist of representatives of the four occupying powers or of representatives of the United Nations.

3. The sole duty of the National Assembly is to draft a German constitution. The draft constitution will be referred to the German people for ratification.

Personal and political freedom of movement and activity must be guaranteed in all zones as a precondition for the holding of all German elections. The Federal Government considers it especially desirable:

1. That there be freedom of activity for all parties in all Germany and that all the occupation powers refrain from influencing the formation and activities of political parties.

2. That personal safety and protection against economic discrimination must be guaranteed by all the occupation powers and by the German authorities before and after the elections for all persons who are active on behalf of political parties.

3. That there be unrestricted admission and circulation for all newspapers in entire Germany.

4. That there be freedom of personal movement in all Germany and that inter zonal passes be discontinued.

The creation and guarantee of these freedoms rests with the four occupation powers. Germans must have the possibility of being able to appeal to four power organs at any time for the protection of these rights.

Under the responsibility which the preamble and final article of its basic law imposes upon it, the Federal Government directs an appeal to all Germans, to the various occupation powers and beyond that to the entire world public to help the German people to reunification in peace and freedom.

<sup>1</sup> Department of State Bulletin, June 5, 1950, p. 885. A copy of this declaration was transmitted to the Chairman of the Soviet Control Commission on May 25, 1950 (*infra*).

***Statement by the Western Foreign Ministers, on Allied Rights in Berlin, May 13, 1950<sup>1</sup>***

**TRIPARTITE STATEMENT ON BERLIN**

The three Western Occupation Powers will continue to uphold their rights in Berlin. They are resolved now as in the past to protect the democratic rights of the inhabitants and will cooperate with the German authorities to improve to the utmost the economic position of the three Western sectors. Meanwhile the three Governments will continue to seek the reunification of the city in free elections in order that Berlin may take its due place in a free and united Germany.

***Declaration by the Western Foreign Ministers, on Free Elections, May 14, 1950<sup>2</sup>***

In reaffirming the determination of their Governments to work together, in cooperation with the German Federal Government and all like-minded Powers, for the unification of Germany, the three Foreign Ministers agreed that German unity should be achieved on the basis of the following principles:

- (a) A freely-elected all German government.
- (b) Individual freedom of movement, freedom from arbitrary arrest and detention, freedom of association and assembly, freedom of speech, press and radio throughout Germany.
- (c) Freedom of action throughout Germany for all democratic political parties.
- (d) Independence of the judiciary.
- (e) Prohibition throughout Germany of political secret police and police formations constituting a military force.
- (f) Assurance of German economic unity through action by a German government on matters such as a unified currency and customs, and through quadripartite agreement on matters such as cessation of reparations from current production, and prohibited and limited industries.
- (g) Surrender and disposal, in accordance with appropriate German legislation, of any industrial enterprise in Germany whose ownership or control was acquired after May 8, 1945 by or on behalf of any foreign Power, unless such acquisition has quadripartite approval and the interest so approved is subjected to German Law.
- (h) Establishment of quadripartite supervision through a four-Power Commission, exercising its reserve powers in such a way as to permit the German Government to function effectively.

The Foreign Ministers further agreed that the first step toward the restoration of German unity should be the holding throughout Germany of free elections to a Constituent Assembly. They, accordingly, welcome and endorse the resolution of the German Federal Republic of March 22, 1950, inviting free all-German elections for a

<sup>1</sup> Released at London. *Ibid*, June 26, 1950, p. 1039.

<sup>2</sup> *Ibid*, June 5, 1950, p. 885. A copy of this declaration was transmitted to the Chairman of the Soviet Control Commission on May 25, 1950 (*intra*).

national assembly empowered to frame an all-German constitution. These elections should be held under international supervision and on the basis of an electoral law to be agreed between the four Occupying Powers which would take into account the principles set forth above. The Constituent Assembly when elected should have the sole task of drafting a constitution for submission to the German people for ratification.

Finally, the Ministers agreed that with the formation of an all-German government on the basis of the foregoing principles, the Four Powers should immediately address themselves to a peace settlement.

*Note from the American Ambassador at Moscow to the Soviet Foreign Minister, on the Remilitarization of East Germany, May 23, 1950<sup>1</sup>*

I have the honor to express to you the United States Government's grave concern at a development in eastern Germany which is already known to the Government of the Union of Soviet Socialist Republics.

There has been created in the part of Germany that is subject to Soviet control a police force which has, by reason of its military training and equipment, the character of an army. This organization is called the Main Administration for Training (Hauptverwaltung Fuer Ausbildung), and it amounts to about 50,000 men. It is not an ordinary police force, and it does not have ordinary police duties. It receives basic infantry, artillery, and armored training and is equipped with military weapons, including machine guns, howitzers, anti aircraft cannon, mortars, and tanks. It must be regarded, therefore, as a military force.

The Soviet Union has many times expressed its adherence to the principle of the complete disarmament and demilitarization of Germany. In particular, you will recall the following international agreements to which the Soviet Government was a party:

A. Joint Report of February 11, 1945, following the Anglo-Soviet-American Conference in the Crimea:

It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; \* \* \*

B. Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority by the Allied Powers, signed by General Eisenhower, Marshal Zhukov, Field Marshal Montgomery and General Tassigny on behalf of their respective Governments on June 5, 1945:

The Four Allied Governments will take such steps, including the complete disarmament and demilitarization of Germany, as they deem requisite for future peace and security.

<sup>1</sup> *Ibid.*, June 5, 1950, pp. 918-919. The decision to make this protest resulted from the London Conference of Foreign Ministers of the United States, United Kingdom, and France held earlier in the month.

C. Joint Report of August 2, 1945, following the Anglo-Soviet-American Conference in Berlin (Potsdam):

3. The purposes of the occupation of Germany by which the Control Council shall be guided are:

(i) the complete disarmament and demilitarization of Germany. \* \* \* To these ends (a) All German land, naval and air forces \* \* \* and all other military and quasi-military organizations \* \* \* shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarization and Nazism.

D. Agreement between the Governments of the United Kingdom, the United States of America and the Union of Soviet Socialist Republics and the Provisional Government of the French Republic on Certain Additional Requirements to be Imposed on Germany, dated September 20, 1945:

1. All German land, naval and air forces \* \* \* and all other military and quasi-military organizations \* \* \* shall be completely and finally abolished in accordance with methods and procedures to be laid down by the Allied Representatives.

2. All forms of military training, military propaganda and military activities of whatever nature, on the part of the German people, are prohibited, as well as the formation of any organization initiated to further any aspect of military training and the formation of war veterans' organizations or other groups which might develop military characteristics or which are designed to carry on the German military tradition, whether such organizations or groups purport to be political, educational, religious, social, athletic or recreational or of any other nature.

E. Control Council Law No. 34, entitled "Dissolution of the Wehrmacht," dated August 20, 1946.

ARTICLE I. \* \* \* all German land, naval and air forces, with all their organizations, staffs, and institutions, \* \* \* and all other military and quasi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, are hereby considered disbanded, completely dissolved and declared illegal.

ARTICLE II. The maintenance, formation and reconstitution of any of the agencies or organizations enumerated in Article I under any name or form whatsoever, and the taking over of all or any of the functions of such agencies or organizations in the future by other agencies is prohibited and declared illegal.

It is clear from these agreements that the Government of the Soviet Union is committed unequivocally to the principle that Germany will be demilitarized, that her military forces will be completely and finally abolished, and that no revival of German military activities will be allowed. The British, French, and American Governments were also parties to these agreements and are equally committed to the same principle. They have, accordingly, taken effective steps to prevent any form of rearment or remilitarization in their zones of occupation. The Soviet Union, on the other hand, has directly violated all these agreements. The establishment of a military force, or militarized police, in eastern Germany could not have been accomplished

without the deliberate approval of the Soviet Government, and it is an action squarely in opposition to the efforts being made by the United States and other nations to create a stable and lasting peace.

Representatives of the Soviet Government have, on numerous occasions, spoken of the Soviet Government's desire for peace. Such verbal protestations, however, can hardly be expected to receive credence among the free peoples of the world when the Soviet Government is simultaneously creating a military force of considerable size and strength in Germany in violation of its solemn international commitments. By this and other like actions the Soviet Government has destroyed world confidence in the sincerity of its promises and has created throughout the world widespread doubt as to its pacific intentions. If the Soviet Government wishes to restore in some measure international confidence in its alleged attachment to peace, it cannot fail to dissolve immediately the militarized units which it has set up in Eastern Germany.

***Letter from the United States Commandant in Berlin to the Chairman of the Soviet Control Commission, on Free Elections, May 25, 1950.<sup>1</sup>***

**U.S. NOTE TO SOVIET UNION**

DEAR GENERAL CHURIKOV. Throughout the five year period during which our two governments have participated in the occupation of Germany, repeated efforts have been made to effect the political and economic unity of the country. The matter was recently reviewed again by the Foreign Ministers of the United Kingdom, France, and the United States at London. Their conclusions on the matter of German unification and the manner in which it might be accomplished are attached. (See Annex A.) This document has been transmitted to the Chancellor of the German Federal Republic.

You will note that the Ministers agreed that the formation of an all-German Government on the basis of the principles set forth in their statement would prepare the way for a peace settlement with Germany. In this connection, you will also have noted that in the public communique released by the Ministers on May 14, it was stated that the Western Powers did not contemplate the conclusion of a separate peace treaty with the Federal Republic; one consideration in the formulation of this conclusion was that the Western Powers believe that a separate peace treaty with one or more zones of occupation connotes acceptance of a concept of a more permanent partition of Germany. The Western Powers do not wish to associate themselves with any such concept.

You will also note that the Ministers endorsed the resolution of the Federal Republic under date of March 22, which invited all-German elections to a National Constituent Assembly under conditions found to be acceptable to my government. A copy of the text of this resolu-

<sup>1</sup> *Ibid.*, June 5, 1950, pp. 884-885. The letter was sent by Major General Maxwell D. Taylor on behalf of the American High Commissioner. The British and French High Commissioners sent similar letters. For the texts of the declaration of March 22, 1950 by the German Federal Republic and the declaration of May 14, 1950 by the Western Foreign Ministers, enclosed with this letter see *supra*. General Churikov did not reply to the letter.

tion is attached (see Annex B), and I direct your attention especially to paragraph 1 thereof, which suggests that the four occupation powers should assume the responsibility of framing an electoral law under which all-German elections might be conducted.

My government would be prepared for me to share in the responsibility of framing an electoral law under which all German elections, pointing toward the formation of an all-German Government in conformity with the principles set forth in the attached statement of the Foreign Ministers, could be held.

Should your government declare its acceptance of these principles and be willing to share such responsibility, it is the belief of my government that any discussions on the subject should be conducted via the following principles:

1. Conversations would initially be undertaken at the level of the four Commissioners for the limited purpose of drafting an electoral law to implement the Federal Republic's proposal of free all-German elections for a National Constituent Assembly. The proposal to limit discussions to the framing of an electoral law proceeds from a belief that it is unrealistic to discuss or arrange the desired peace settlement until it is established that a unified German Government, freely elected, can be brought into being.

2. If agreement is reached on an electoral law, the way would be clear for the drafting by the elected representatives of the German people of a constitution for all Germany, within the framework of the principles set forth in the attached statement of the Foreign Ministers, and for the emergency of an all-German Government.

3. A basis would thus be laid for the establishment of a four power commission which should exercise its reserved powers in such a way as to permit the German Government to function effectively.

I would welcome your views on this subject.

In view of the vital interest of the German people in the unification of their country, I feel it appropriate to make a copy of this letter available to the press and will do so after it has reached you.

*Letter from the American High Commissioner (McCloy) to the Chairman of the Soviet Control Commission (Chuikov), on Free Elections, October 10, 1950<sup>1</sup>*

1. In my letter of May 25, 1950, I requested you to transmit to your government the proposals agreed on by the Foreign Ministers of the United States, Great Britain and France for a procedure which would permit the holding of free democratic and secret elections throughout Germany and would lead to the establishment of a freely elected and democratic government for all of Germany. I have not yet received an answer to this letter.

2. I enclose the text of a letter addressed to the Allied High Commission by the Federal Chancellor, inviting attention to a resolution,

<sup>1</sup> Office of the United States High Commissioner for Germany, *Documents on German Unity*, vol. I, p. 157. The Soviet Chairman never replied to this letter.

adopted in the Bundestag on 14th September and now endorsed by the Federal Government. This resolution requests the occupying powers to arrange for the holding, in all four zones of occupation, of elections to an all-German parliament.

3. The resolution should be considered in conjunction with the statement made on the same day in the Bundestag by the Chancellor in the name of the Federal Government, the text of which I also enclose. You will observe that the Federal Chancellor there repeats the suggestion, originally made by him on 22nd March, for the holding of free all-German elections on a democratic basis.

4. The Federal Government is a government freely elected by the people and is recognized by my government as entitled to speak for Germany. The documents transmitted to you with this letter reflect the predominant will of the German people. I, therefore, commend them to your attention and to your government as pronouncements of the German people in respect of grave matters affecting their future and that of their country.

5. As regards the elections to be held in the Soviet Zone on 15th October, the communique published on 19th September, 1950, in New York by the three Foreign Ministers of the United States, Great Britain and France shows that my government shares the opinion of the Federal Government. The single list elections will deny to East Germany democratic parliamentary government and those democratic processes under which German unification can become a reality. The Soviet Union is committed under the Potsdam and other international agreements to the establishment of democratic government in Germany and to German unification and must bear full responsibility for obstructing the accomplishment of these objectives. The procedures under which these "elections" will be held are in direct contrast with the traditional requisites of free democratic elections. For this reason neither my government, nor the Federal Republic, nor the German people can recognize them as capable of conferring on the East German regime either legitimacy or any claim to represent the German people now living in East Germany.

6. On account of the great public interest shown in the subject matter of this communication, I shall make a copy of it available to the press following its receipt by you.

*Draft Election Law of the Volkskammer of the German Democratic Republic, January 9, 1952<sup>1</sup>*

**PREAMBLE**

In accordance with the desire of all patriotic Germans to overcome the disastrous division of Germany, it is necessary to bring about an understanding between the representatives of Eastern and Western Germany. We must jointly solve the great task of restoring the unity of Germany, of guaranteeing to our nation a quiet, peaceful life, and of giving other nations the assurance that their peaceful work will

<sup>1</sup> *Ibid.*, vol. II, pp. 31-37.

never again be endangered by German aggression. The guiding principles of our state must be:

Everything by the people!

Everything for the people!

Everything together with the people!

We cannot and must not leave to others the solution of this purely German task. That is why representatives of Eastern and Western Germany must convene, without delay, in an All-German Conference in order to comply with the nation-wide demand for free democratic elections to a Constituent German National Assembly, preparatory to the creation of a unified, democratic, and peace-loving Germany. The Reich Electoral Law of March 6, 1924, is suggested as a basis for the election procedure. The All-German Conference has the task of reaching an agreement with regard to the preparations for, and the conduct of, the elections. In this way our nation reserves to itself the right of administering its own country and of choosing the form of government it wants. The question of international control over the elections is to be discussed at the All-German Conference.

For the purpose of making preparations for and carrying out free, universal, equal, direct, and secret elections to the German National Assembly, a Central Election Committee, consisting of East and West German representatives, is to be set up at the All-German Conference.

Guided by such considerations the Government of the German Democratic Republic submits the following draft of an electoral law as a basis for all-German discussions to be held between the representatives of Eastern and Western Germany:

## PART I

### *Basic principles*

#### ARTICLE 1

(1) Freedom of political activity in the preparation and conduct of the elections shall be guaranteed to all citizens.

(2) All democratic political parties, organizations, and associations shall enjoy equal freedom in their activities. They shall have the right of nominating candidates for the National Assembly and complete freedom to carry on election propaganda.

#### ARTICLE 2

The right freely to express one's opinion through speech, in writing, in print, by pictures or otherwise, shall be guaranteed throughout Germany.

#### ARTICLE 3

No one may, on account of his political conviction, be arrested or persecuted, or suffer disadvantages in his work or employment. He may not suffer disadvantages if he exercises this right.

#### ARTICLE 4

Every candidate to the National Assembly shall be guaranteed freedom of political activity and personal liberty. He is to be granted

leave of absence for the election period. No candidate may be arrested, temporarily detained, juridically or administratively prosecuted, dismissed from his office or place of work, or in any other way called to task.

#### ARTICLE 5

Every candidate to the National Assembly shall be guaranteed unhampered freedom of movement in all German Laender and in Greater Berlin.

#### ARTICLE 6

All limitations on personal travel within Germany, including Greater Berlin, shall be lifted at least three months before the election.

#### ARTICLE 7

(1) Public assemblies of political parties, organizations or associations which have submitted an election proposal in accordance with regulations, as well as meetings called by the candidates to the National Assembly, are to be permitted without hindrance. They need not be reported and shall be placed under public protection.

(2) Participation, through speeches or otherwise, in the discussions and demonstrations taking place at the assemblies shall be guaranteed.

#### ARTICLE 8

The political parties, organizations and associations which have submitted election proposals in accordance with regulations, as well as their candidates, shall be guaranteed the right freely to express and disseminate throughout Germany their opinions through speech, in writing, in print, by pictures or otherwise.

### PART II

#### *Right to Vote and Eligibility*

#### ARTICLE 9

(1) The members of the German National Assembly shall be elected in free, universal, equal, direct, and secret elections in accordance with the principle of proportional representation by all German men and women who are over 18 years of age.

(2) Every voter shall have one vote.

#### ARTICLE 10

Any person whose eighteenth birthday falls on or before the day of election shall be entitled to vote. Any person entitled to vote whose twenty-first birthday falls on or before the day of election may stand for election.<sup>1</sup>

<sup>1</sup> These minimum ages, 18 to vote and 21 to stand for election, were inserted in the Electoral Law at the "demand" of Erich Honecker, Chairman of the Soviet Zone "Free German Youth" (FDJ), set forth in a letter of December 4, 1951 to Soviet Zone Deputy Minister President Walter Ulbricht.

## ARTICLE 11

No person shall be entitled to vote who

1. has been declared legally irresponsible or is under temporary guardianship or, by reason of mental infirmity, has been placed under custodianship;

2. by decision of a court has by force of law lost his civic rights.

The right to vote shall be suspended for persons who, on account of mental disease or infirmity, are lodged in a sanatorium or asylum, or who are serving a term in prison, are under preliminary detention, or are kept in custody by decision of a court.

## ARTICLE 12

Only those persons whose names appear on a list or register of electors, or who hold a polling certificate, may vote.

## ARTICLE 13

A representative shall lose his seat:

1. by renunciation;
2. by subsequent loss of eligibility;
3. by the election being declared invalid, or by any other form of elimination in the course of election scrutiny proceedings (Article 42);
4. by a subsequent correction of the election results.

The Central Election Committee is to be notified of any renunciation; this must be in writing and may not be revoked.

## PART III

*Preparation of the Election*

## ARTICLE 14

(1) The day of the election to the National Assembly shall be determined by the All-German Conference. It must be a Sunday or a public holiday.

(2) The decision of the All-German Conference must be proclaimed, in the form of a law, by the East and West German authorities at least three months before the day of election.

## ARTICLE 15

(1) For the purpose of preparing and carrying out the elections, and for the purpose of preliminary scrutiny and ascertainment of the election results in all Germany, the All German Conference shall establish a Central Election Committee.

(2) The Central Election Committee shall elect the officers necessary for discharging the functions incumbent on the Committee.

## ARTICLE 16

The Central Election Committee shall be composed of the representatives of the political parties, organizations, and associations ex-

isting in Germany at the time this Electoral Law comes into force. The Committee shall be supplemented by the representatives of the political parties, organizations, and associations which shall be authorized to participate in the elections to the National Assembly after this law has been promulgated.

#### ARTICLE 17

Each Land shall constitute an election district. Greater Berlin shall constitute a single election district. Every election district shall be subdivided into election precincts, the boundaries of which should, if possible, be identical with those of the communes. Larger communes may be subdivided into several election precincts; small communes, or parts of communes, may be combined with neighboring communes or parts thereof.

#### ARTICLE 18

An election committee shall be formed for each election district and precinct. It shall consist of representatives of the political parties, organizations and associations authorized to participate in the elections.

The election committee shall elect the polling supervisory board,<sup>1</sup> consisting of the polling supervisor, his deputy, and the recorder.

#### ARTICLE 19

A list or register of electors shall be kept in each election precinct for the voters residing there.

#### ARTICLE 20

Upon request, a polling certificate shall be issued.

- I. to a voter whose name is entered in a list or register of electors
  - 1. if, for urgent reasons, he is outside his election precinct during polling hours on the election day;
  - 2. if he changes his residence and moves to another election precinct after expiry of the time limit for filing a protest (Article 21);
  - 3. if, because of a physical handicap or disease, he is hampered in his ability to move and would, through the issuance of a polling certificate, be enabled to vote at a polling place that is more conveniently located;
- II. to a voter whose name has not been entered, or has been canceled, in the list or register of electors,
  - 1. if he furnishes evidence to the effect that, through no fault of his own, he failed to observe the time-limit for filing a protest (Article 21);
  - 2. if his name was not entered, or was canceled, because his right to vote had been suspended for a reason which ceased to apply after expiry of the time-limit for filing a protest;

<sup>1</sup> The election committees (*Wahlausschüsse*) envisaged by the present draft law should not be confused with the election committees mentioned in the Federal Government's draft election procedure of October 30, 1951 (V.I.A.(44), pp. 242-245 of first volume) which correspond to the polling supervisory boards (*Wahlvorstände*) of the present draft law.

3. if he resided abroad but has taken up residence in this country after expiry of the time-limit for filing a protest.

#### ARTICLE 21

The lists or registers of electors shall be open to public inspection. The communal authorities shall make public the place and time of inspection, the time-limit for filing a protest, and the agency with which compliants concerning the list or register of electors may be filed.

#### ARTICLE 22

Persons entitled to vote may do so only in the election precinct in which their names are entered in the list or register of electors. Holders of polling certificates may vote in any election precinct they wish.

#### ARTICLE 23

Political parties, organizations, and associations of voters may tender election proposals. They shall have the right to submit joint election proposals. Several election proposals may be combined with each other.

#### ARTICLE 24

The election proposals for the election district, as well as the statements announcing combination of election proposals, must be submitted to the district election committee on or before the seventeenth day preceding the election day.

#### ARTICLE 25

(1) The election proposals must be signed by at least 500 voters of the election district. The names of the candidates must be listed in a clear order of precedence. A candidate may be listed in an election proposal only if he has consented to it. The candidate's declaration of consent may be submitted to the district election committee together with the election proposal.

(2) The signatures of 20 voters (instead of 500) shall suffice in the case of election proposals submitted by political parties, organizations, and associations already existing in Germany at the time when this Law comes into force.

#### ARTICLE 26

The political parties, organizations, and associations authorized to participate in the elections may declare that the residual votes cast for their district election proposals are to be added to their central<sup>1</sup> election proposal (pooling statement).

#### ARTICLE 27

(1) Central<sup>1</sup> election proposals may be submitted to the Central Election Committee on or before the fourteenth day preceding the

<sup>1</sup> Germany-wide.

election day. They must be signed by at least 500 voters. The signatures of 20 voters (instead of 500) shall suffice in the case of election proposals submitted by political parties, organizations, and associations already existing in Germany at the time when this Law comes into force.

(2) The names of the candidates must be listed in a clear order of precedence. A candidate may be listed in an election proposal only if he has consented to it. The candidate's statement of consent may be submitted to the Central Election Committee together with the election proposal.

(3) Nomination on a central<sup>1</sup> election proposal shall not be incompatible with nomination on a district election proposal if the candidate runs for the same political party, organization, or association, or if a statement announcing combination of election proposals was made.

#### ARTICLE 28

The Central Election Committee shall publish the central<sup>1</sup> election proposals consecutively numbered in the order of their approval. Publication shall be made on or before the eleventh day preceding the election day.

#### ARTICLE 29

The district election committee shall publish the district election proposals, the statements announcing combination of election proposals, as well as the central<sup>1</sup> election proposals to which election proposals from the district have been added.

#### ARTICLE 30

(1) The ballots and their envelopes shall be the same for all voters and shall not bear any mark identifying the voter.

(2) The ballots for the election district shall be provided officially by the Land government; they must list all the district election proposals, stating the political party, organization, or association, and the names of the candidates.

As far as Greater Berlin is concerned, the ballots shall be provided in the same manner as outlined above by the Greater Berlin Election Committee.

#### PART IV

##### *The Poll and the Ascertainment of the Election Results*

#### ARTICLE 31

Election secrecy shall be guaranteed.

#### ARTICLE 32

The poll and the ascertainment of the election results shall be conducted in public.

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<sup>1</sup> Germany-wide.

## ARTICLE 33

The votes shall be cast by way of ballots enclosed in officially stamped envelopes. Absent persons may not vote by proxy; nor may they otherwise participate in the voting.

## ARTICLE 34

Marking of the ballot by the voter shall take place in a section of the polling place out of sight of other persons. The voter shall place the ballot contained in the envelope in the ballot box before the eyes of the election committee.

## ARTICLE 35

Waiver of any of these regulations shall not be permissible. Any failure to comply with them shall render null and void the entire vote of the election precinct where the breach of these regulations occurred.

## ARTICLE 36

Counting of the votes shall take place publicly by the election committee composed of the representatives of the political parties, organizations, and associations.

## ARTICLE 37

The election committee, in order to ascertain the result of the election, shall establish how many valid votes were cast altogether and how many of them were cast for each district election proposal.

## ARTICLE 38

(1) For every 60,000 votes cast for a district election proposal in a given election district, that district election proposal shall be allocated one seat.

(2) Votes whose number does not suffice to allocate one seat, or an additional seat, to a district election proposal (residual votes), shall be transferred to the Central Election Committee for allocation.

## ARTICLE 39

The Central Election Committee shall add together the residual votes cast for the individual district election proposals within the various election districts. For every 60,000 of the residual votes thus obtained, one seat or an additional seat, shall be allocated. If the remainder left over after such allocation amounts to at least 30,000 votes, the remainder shall be considered tantamount to 60,000 votes.

## ARTICLE 40

Seats shall be distributed among the candidates in the order of precedence in which their names are listed on the election proposals.

## ARTICLE 41

(1) In the event that the number of candidates on a district election proposal is smaller than the number of seats allocated to the election

proposal, the district election committee shall request that a corresponding number of candidates be named by the political party, organization or association concerned. The names must be submitted to the district election committee at the latest three days after the receipt of the request.

(2) The same provisions shall apply to the central<sup>1</sup> election proposals.

#### ARTICLE 42

(1) The place of a representative who refuses to accept the election or drops out shall be taken by the candidate whose name comes next on the election proposal.

(2) In the absence of another candidate the provisions of Article 41 shall apply correspondingly.

#### ARTICLE 43

(1) In the event that the elections held in a given election district are declared null and void by the Central Election Committee, the latter shall distribute the residual votes anew in accordance with the results of a new by-election.

(2) If it turns out that a central<sup>1</sup> election proposal, or combined election proposals, receive more seats than before, the corresponding number of new seats shall be filled in accordance with the provisions of Articles 38 to 40. If an election proposal receives less seats than before, a corresponding number of seats shall be canceled by the Central Election Committee.

#### ARTICLE 44

(1) If the elections were not properly conducted in certain individual election precincts only, the district election committee may decide that the elections are to be repeated there (precinct by elections). The precinct by-election is to be held on the third Sunday or holiday following the day when the district election committee renders its decision.

(2) The precinct by-election shall be conducted on the basis of the district election proposals and lists or registers of electors used in the general election.

### PART V

#### *Concluding Provisions*

#### ARTICLE 45

(1) The National Assembly shall be convened in Berlin not later than 30 days after the election.

(2) The members of the National Assembly shall be guaranteed personal freedom and protection against persecution.

#### ARTICLE 46

The Electoral Law adopted by the All-German Conference shall be promulgated in the form of a law by the East and West German authorities not later than three months before the day of election.

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<sup>1</sup> Germany-wide

## ARTICLE 47

The Central Election Committee shall make known the election results. They must be published in the legal gazettes of Eastern and Western Germany.

## ARTICLE 48

The National Assembly shall be convoked by the Central Election Committee. Time and place of the meeting must be published without delay by the East and West German authorities. The Central Election Committee shall inform the members of the National Assembly by the quickest means of their election and of the time and place of the meeting of the National Assembly.

*Comments on the Draft Electoral Law of the GDR Volkskammer,  
by the Bonn Ministry for All-German Affairs, January 11, 1952<sup>1</sup>*

## [Extracts]

\* \* \* The masters of the Soviet Zone, who never have wanted truly democratic elections, do not want them today either. All they ever wanted were "all German consultations." In the draft law which the Soviet Zone has now adopted, the proposal for "all-German consultations" also figures as a prerequisite for the holding of all-German elections. It is not elections throughout Germany that the rulers of the Soviet Zone intend to achieve by this law, but "all German consultations"; they want to use the issue of Germany reunification as a bargaining point in the "horse-trading" they pursue in the interest of Soviet plans.

With the usual fraudulent devices so typical of the practices of the people's democracy, they have worked out and adopted an electoral law which, so they aver, is based on the electoral law of 1924 of the Weimar Republic. Indeed, the law might perhaps appear acceptable at first glance. But anyone who studies it more closely will not fail to discern that this law reveals a cunning attempt at spreading Communist influence throughout Germany already prior to the proposed elections. The most striking instruments of this treacherous plan are apparent in the provisions to subdivide the area of election into seventeen or more election districts, and to allow all parties, organizations and associations in existence in Germany to tender election proposals, provided they bear the signature of twenty persons. This means that the more than fifty Communist front organizations in the Federal Republic and the very large number of Communist-controlled mass organizations in the Soviet Zone will also be included. It is meant to create confusion and fragmentation of political effort. The district election committees will be dominated by the Communists and the SED. The central election committee will be composed equally of Communists and their supporters for the most part. International guarantees for the proper preparation and execution of the elections will be excluded. \* \* \*

\* \* \* \* \*

<sup>1</sup> Documents on German Unity, vol. II, pp. 41-42.

When the Federal Government published its proposal for an electoral law it explained that, in view of the present political state of affairs in Germany, only the creation of a single election district for the entire area will ensure that all parties in every section of Germany will stand an equal chance at the polls. The creation of a single election district implies that the same list of candidates can be voted for in Cologne as well as in Leipzig, Stuttgart, Eisenach and Schwerin. But that is just what the rulers of the Soviet Zone do not want. They are afraid that 80 percent or more of the voters in the Soviet Zone will cast their vote in favor of the democratic parties which exist in the Federal Republic, parties in which they have placed their hopes of being liberated from Communist rule. Therefore Article 17 of the Soviet Zone electoral law provides that every Land and Greater Berlin each constitute a separate election district. \* \* \*

This means that the democratic parties in the Federal Republic will encounter much greater—if not insuperable—difficulties in nominating their candidate in the Soviet Zone than the Soviet Zone parties and organizations will ever meet with in the Federal Republic. For each election proposal in every one of the five Laender of the Soviet Zone will first have to be approved by twenty persons entitled to vote who are residents in the Soviet Zone, who are prepared to affix their signature to this election proposal and to file it. Even if twenty stalwart persons willing to tender such an election proposal unwelcome to the Communists could really be found, their election proposal would still be at the mercy of election committees which, due to the provisions of this law, are bound to be dominated by the SED and its satellites. That is so because every party, association and organization will have one representative with one vote in the election committees. In view of the infinite number of Communist mass and front organizations, there is no doubt that the district election committees, at any rate in the Soviet Zone—if not even in the Federal Republic—would be influenced directly or indirectly by the Communists. This would enable them, even before the holding of the elections, to eliminate, by one means or another, those candidates who do not meet with their approval.

What would the implementation of such a law mean? It would mean that there is no longer any question of truly democratic elections in which every person entitled to vote would be at liberty to cast his vote in favor of the candidate appealing to him most. \* \* \*

This electoral law of the Soviet Zone even leaves the door open for the reintroduction of the infamous "unity list" in that, in accordance with Article 23, joint election proposals may be submitted and several election proposals may be combined. \* \* \*

The electoral law of the Soviet Zone does not provide for international or other guarantees for the proper preparation and execution of the elections. Such guarantees are only mentioned as a bait for bringing about "all-German consultations." The law is based on premises suggesting that Germany is no longer an occupied country at all and that, consequently, there is no longer any need for the Occupying Powers to agree among themselves on a joint policy with regard to the execution of elections throughout Germany. This, too, is a carefully planned propaganda device which is meant to lead the German people

in Eastern and Western Germany into believing that all they will have to do is to gather around one conference table. \* \* \*

So long as Mr. Ulbricht and his friends do not make any serious effort to give convincing proof that the Soviet Zone state has definitely adopted a form of constitutional government based on law and order, the Federal Government, in agreement with the majority of our people, cannot but persist in its demand for bona fide guarantees for the really unhampered carrying out of free elections throughout Germany. The proposal for the setting up of a United Nations Commission, which is not only to examine the conditions existing for all-German elections but which is also to work out proposals on which the reunification of Germany could be based, has been turned down; this is but one example demonstrating that the SED is not prepared to give such guarantees.

*Draft Election Law of the Bundestag of the Federal Republic of Germany, February 6, 1952<sup>1</sup>*

**FEDERAL DRAFT LAW ON THE PRINCIPLES FOR THE HOLDING OF FREE ELECTIONS TO A CONSTITUENT GERMAN NATIONAL ASSEMBLY, APPROVED BY FEDERAL LOWER HOUSE ON FEBRUARY 6, 1952**

**ARTICLE I**

(I) Free, secret, universal, equal and direct elections for a Constituent German National Assembly shall be held according to the principles of proportional representation in the four Occupation Zones of Germany and in Berlin on \* \* \*

(II) The election shall be conducted in accordance with an Election Procedure which is to include the following regulations:

**SECTION I**

(1) All Germans shall be entitled to vote, providing their 20th birthday falls on or before the day of election and providing they are not mentally unbalanced or otherwise legally irresponsible. The same conditions shall apply to candidates for seats except that they must have completed their 25th birthday on or before the date of election.

(2) Germans within the meaning of this Law shall be considered to be those who possess German citizenship or those ethnic Germans who are refugees or expellees with permanent residence in the area of election, or partners in marriage or descendants of the same.

<sup>1</sup> *Ibid.*, pp. 44-46. This revised version of the law for an all-German election procedure proposed by the Federal Government on October 30, 1951 was approved by the Federal Lower House on February 6 by 292 votes to 29, with 25 abstentions. Introducing the revised draft law in the Federal Lower House, the Federal Minister for All-German Affairs, Jakob Kaiser, described it as a "basis for a quasi-diplomatic demarche with the Occupying Powers and the United Nations," rather than being "a law in the formal sense." On February 18, 1952, the revised draft law was delivered to the Chairman of the Allied High Commission with the request that it be forwarded to the U.S., U.K. and French Governments and to the Secretary-General of the United Nations. The Allied High Commission was also asked to transmit to the Chairman of the Soviet Control Commission General Vassily I. Chuikov, two copies of the law, one of them for the Government of the Soviet Zone.

## SECTION 2

(1) The area of election shall constitute a single election district. Each party shall tender a single election proposal for the entire election district.

(2) Each election proposal must be undersigned by a minimum of 10,000 eligible voters. The election proposals of parties already in existence at the time this Law goes into effect and which are to be listed in the Election Procedure shall require the signatures of only 10 persons.

## SECTION 3

(1) One representative shall be seated for every 75,000 votes. A remainder of more than 37,500 votes shall be counted as 75,000.

(2) An election proposal which in at least one of the German Laender fails to gain five percent of the votes cast there shall not be taken into account.

## SECTION 4

(1) Freedom of political activity in the preparation and conduct of the election shall be guaranteed.

(2) All limitations on personal travel between the various Occupation Zones, including Berlin, shall be lifted at least three months before the election.

(3) Each appropriately-registered candidate for a seat in the National Assembly shall be guaranteed complete personal freedom in the entire area of election. Without the approval of an international control organ (Article II) he may not be arrested, temporarily detained, juridically or administratively prosecuted, dismissed from his office or place of work or in any other way be called to task or hindered in his freedom of movement. He is also to be granted appropriate leave during the election campaign.

(4) No one may, because of his political stand before and during the election, be arrested, temporarily detained, juridically or administratively prosecuted, dismissed from his office or place of work or otherwise be called to task or placed at a disadvantage.

## SECTION 5

(1) Public assemblies of parties which have tendered an election proposal in accordance with regulations, as well as assemblies of their individual candidates, are to be permitted without hindrance and placed under public protection.

(2) Distribution of newspapers, magazines and other printed matter as well as reception of radio broadcasts which are allowed in any one German Land shall be freely permitted in the entire area of election.

## SECTION 6

(1) Election secrecy shall be guaranteed.

(2) The election ballot and its envelope shall be the same for all voters and shall not bear any mark identifying the voter. The marking of the ballot by the voter shall take place in a section of the voting place out of sight of other persons. The voter shall place the ballot

contained in the envelope in the ballot box before the eyes of the polling supervisory board.<sup>1</sup>

(3) The counting of votes by the polling supervisory board shall take place publicly. The polling supervisory board is to be composed of eligible voters of each election precinct<sup>2</sup> on the basis of a just consideration of the various parties.

(4) Waiver of any regulations in Paragraphs 1 to 3 above shall not be permissible. The international control organs may declare null and void the entire vote of the election precinct<sup>3</sup> where the breach of these regulations takes place and order the vote to be re-taken.

## ARTICLE II

(I) Preparation and execution of the election shall take place under international protection and international control.

(II) Protection shall be entrusted to international control organs and shall be uniform in all parts of the area of election. German authorities must carry out the orders of these control organs.

(III) The control organs shall guarantee the rights and freedoms of the population arising from this Law. Every German has the right to appeal to the control organs.

(IV) The highest international control organ shall issue, insofar as necessary, more detailed regulations concerning the protection and control of the election.

## ARTICLE III

(I) The National Assembly shall be convoked in Berlin 30 days after the election.

(II) The oldest member shall open the meeting of the National Assembly and immediately conduct the election of the President. The person receiving the most votes shall be elected.

(III) Scrutiny of the election shall be incumbent upon an Election Court which is to be elected by the National Assembly.

(IV) Personal freedom and protection against persecution shall subsequently be guaranteed to the delegates to the National Assembly until the National Assembly enacts pertinent final provisions.

## ARTICLE IV

(I) The National Assembly shall adopt a constitution.

(II) The National Assembly shall have the power that is necessary to realize and safeguard, until the all-German Constitution comes into force, the free and democratic order of a state based on respect for the law and respect for the rights of the Laender.

<sup>1</sup> "Wahlvorstand," rendered by "election committee" in the translation of the original draft law of October 30, 1951.

<sup>2</sup> "Stimmbezirk" rendered by "administrative district" in the translation of the original draft law.

<sup>3</sup> Also "Stimmbezirk", previously rendered by "voting district".

*Note from the Soviet Foreign Ministry to the American Embassy,  
Enclosing Draft for a German Peace Treaty, March 10, 1952<sup>1</sup>*

[Unofficial translation]

The Soviet Government considers it necessary to direct the attention of the Government of the United States of America to the fact that although about seven years have passed since the end of the war in Europe a peace treaty with Germany is not yet concluded.

With the aim of eliminating such an abnormal situation the Soviet Government, supporting the communication of the Government of the German Democratic Republic to the Four Powers requesting that conclusion of a peace treaty with Germany be expedited, on its part addresses itself to the Government of the United States and also to the Governments of Great Britain and France with the proposal to urgently discuss the question of a peace treaty with Germany with a view to preparing in the nearest future an agreed draft peace treaty and present it for examination by an appropriate international conference with the participation of all interested governments. It is understood that such a peace treaty must be worked out with the direct participation of Germany in the form of an all-German Government. From this it follows that the U.S.S.R., U.S.A., England, and France who are fulfilling control functions in Germany must also consider the question of conditions favoring the earliest formation of an all-German Government expressing the will of the German people.

With the aim of facilitating the preparation of a draft peace treaty the Soviet Government on its part proposes for the consideration of the Governments of the U.S.A., Great Britain and France the attached draft as a basis of a peace treaty with Germany.

In proposing consideration of this draft the Soviet Government at the same time expressed its readiness also to consider other possible proposals on this question.

The Government of the U.S.S.R. expects to receive the reply of the Government of the U.S.A. to the mentioned proposal at the earliest possible time.

Similar notes have also been sent by the Soviet Government to the Governments of Great Britain and France.

[Enclosure]

**DRAFT OF SOVIET GOVERNMENT OF PEACE TREATY  
WITH GERMANY**

Almost seven years have passed since the end of the war with Germany but Germany still does not have a peace treaty, finds itself divided, continues to remain in an unequal situation as regards other governments. It is necessary to end such an abnormal situation. This responds to the aspirations of all peace loving peoples. It is impossible to assure a just status to the legal national interests of the German people without the earliest conclusion of a peace treaty with Germany.

<sup>1</sup> Department of State Bulletin, April 7, 1952, pp. 531-532. For the text of the American reply of March 25, see *infra*.

Conclusion of a peace treaty with Germany has an important significance for the strengthening of peace in Europe. A peace treaty with Germany will permit final decision of questions which have arisen as a consequence of the second world war. The European states which have suffered from German aggression, particularly the neighbours of Germany, have a vital interest in the solution of these questions. Conclusion of a peace treaty with Germany will aid improvement of the international situation as a whole and at the same time aid the establishment of a lasting peace.

The necessity of hastening the conclusion of a peace treaty with Germany is required by the fact that the danger of re-establishment of German militarism which has twice unleashed world wars has not been eliminated in as much as appropriate provisions of the Potsdam conference still remain unfilled. A peace treaty with Germany must guarantee elimination of the possibility of a rebirth of German militarism and German aggression.

Conclusion of the peace treaty with Germany will establish for the German people permanent conditions of peace, will aid the development of Germany as a unified democratic and peace-loving government in accordance with the Potsdam provisions and will assure to the German people the possibility of peaceful cooperation with other peoples.

As a result of this, the Governments of the Soviet Union, the United States of America, Great Britain and France have decided urgently to set about working out a peace treaty with Germany.

The Governments of the Union of Soviet Socialist Republics, United States of America, Great Britain and France consider that preparations of the peace treaty should be accomplished with the participation of Germany in the form of an all German Government and that the peace treaty with Germany should be formed on the following basis:

#### BASIS OF PEACE TREATY WITH GERMANY

##### *Participants*

Great Britain, the Soviet Union, the United States of America, France, Poland, Czechoslovakia, Belgium, Holland and other governments which participated with their armed forces in the war against Germany.

##### *Political provisions*

(1) Germany is re-established as a unified state, thereby an end is put to the division of Germany and a unified Germany has a possibility of development as an independent democratic peace-loving state.

(2) All armed forces of the occupying powers must be withdrawn from Germany not later than one year from the date of entry into force of the peace treaty. Simultaneously all foreign military bases on the territory of Germany must be liquidated.

(3) Democratic rights must be guaranteed to the German people to the end that all persons under German jurisdiction without regard to race, sex, language or religion enjoy the rights of man and basic freedoms including freedom of speech, press, religious persuasion, political conviction and assembly.

(4) Free activity of democratic parties and organizations must be guaranteed in Germany with the right of freedom to decide their own

internal affairs, to conduct meetings and assembly, to enjoy freedom of press and publication.

(5) The existence of organizations inimical to democracy and to the maintenance of peace must not be permitted on the territory of Germany.

(6) Civil and political rights equal to all other German citizens for participation in the building of peace-loving democratic Germany must be made available to all former members of the German army, including officers and generals, all former Nazis, excluding those who are serving court sentences for commission of crimes.

(7) Germany obligates itself not to enter into any kind of coalition or military alliance directed against any power which took part with its armed forces in the war against Germany.

#### *Territory*

The territory of Germany is defined by the borders established by the provisions of the Potsdam Conference of the Great Powers.

#### *Economic Provisions*

No kind of limitations are imposed on Germany as to development of its peaceful economy, which must contribute to the growth of the welfare of the German people.

Likewise, Germany will have no kind of limitation as regards trade with other countries, navigation and access to world markets.

#### *Military Provisions*

(1) Germany will be permitted to have its own national armed forces (land, air, and sea) which are necessary for the defense of the country.

(2) Germany is permitted to produce war materials and equipment, the quantity and type of which must not exceed the limitations required for the armed forces established for Germany by the peace treaty.

#### *Germany and the United Nations Organization*

The governments concluding a peace treaty with Germany will support the application of Germany for acceptance as a member of the United Nations Organization.

#### *Note from the American Embassy at Moscow to the Soviet Foreign Ministry, Regarding the Soviet Draft of a German Peace Treaty, March 25, 1952<sup>1</sup>*

The United States Government, in consultation with the Governments of the United Kingdom and France, has given the most careful consideration to the Soviet Government's note of March 10, 1952, which proposed the conclusion of a peace treaty with Germany. They have also consulted the Government of the German Federal Republic and the representatives of Berlin.

The conclusion of a just and lasting peace treaty which would end the division of Germany has always been and remains an essential

<sup>1</sup> *American Foreign Policy, 1950-1955: Basic Documents* (Department of State publication 6446), vol. II, pp. 1797-1798. The British and French Embassies delivered similar notes on the same date.

objective of the United States Government. As the Soviet Government itself recognizes, the conclusion of such a treaty requires the formation of an all German Government, expressing the will of the German people. Such a Government can only be set up on the basis of free elections in the Federal Republic, the Soviet zone of occupation and Berlin. Such elections can only be held in circumstances which safeguard the national and individual liberties of the German people. In order to ascertain whether this first essential condition exists, the General Assembly of the United Nations has appointed a Commission to carry out a simultaneous investigation in the Federal Republic, the Soviet zone and Berlin. The Commission of Investigation has been assured of the necessary facilities in the Federal Republic and in Western Berlin. The United States Government would be glad to learn that such facilities will also be afforded in the Soviet zone and in Eastern Berlin, to enable the Commission to carry out its task.

The Soviet Government's proposals do not indicate what the international position of an all-German Government would be before the conclusion of a peace treaty. The United States Government considers that the all German Government should be free both before and after the conclusion of a peace treaty to enter into associations compatible with the principles and purposes of the United Nations.

In putting forward its proposal for a German peace treaty, the Soviet Government expressed its readiness also to discuss other proposals. The United States Government has taken due note of this statement. In its view, it will not be possible to engage in detailed discussion of a peace treaty until conditions have been created for free elections and until a free all-German Government which could participate in such discussion has been formed. There are several fundamental questions which would also have to be resolved.

For example, the United States Government notes that the Soviet Government makes the statement that the territory of Germany is determined by frontiers laid down by the decisions of the Potsdam conference. The United States Government would recall that in fact no definitive German frontiers were laid down by the Potsdam decisions, which clearly provided that the final determination of territorial questions must await the peace settlement.

The United States Government also observes that the Soviet Government now considers that the peace treaty should provide for the formation of German national land, air, and sea forces, while at the same time imposing limitations on Germany's freedom to enter into association with other countries. The United States Government considers that such provisions would be a step backwards and might jeopardize the emergence in Europe of a new era in which international relations would be based on cooperation and not on rivalry and distrust. Being convinced of the need of a policy of European unity, the United States Government is giving its full support to plans designed to secure the participation of Germany in a purely defensive European community which will preserve freedom, prevent aggression, and preclude the revival of militarism. The United States Government believes that the proposal of the Soviet Government for the formation of German national forces is inconsistent with the achievement of this objective. The United States Government remains convinced that this policy of European unity cannot threaten the interests of any country and represents the true path of peace.

*First Report of the United Nations Commission to Investigate  
Conditions for Free Elections in Germany, April 30, 1952.<sup>1</sup>*

[Extract]

*Section I. Preparatory work in Paris and Geneva*

27. The United Nations Commission to investigate Conditions for Free Elections in Germany, \* \* \* held its first meeting on 11 February 1952 in the Palais de Chaillot, Paris. The Commission held two more meetings in Paris, one informal and the other formal, before its move to Geneva. At these meetings, the Commission decided on its name, the procedure governing its chairmanship and its headquarters. It also decided, while in Paris, that its first task after it had reconvened in Geneva would be to address the responsible authorities in Germany regarding the arrangements deemed necessary by the Commission to enable it to undertake its work in accordance with the terms of General Assembly resolution 510(VI). Drafts of the letters that it proposed to address to the Chairman of the Allied High Commission for Germany and to the Chairman of the Soviet Control Commission for Germany were tentatively considered and it was decided to postpone further action to a later meeting to be held in Geneva.

28. At meetings held in Geneva on 21 and 22 February, the Commission approved the text of its letters to the Chairman of the Allied High Commission for Germany and to the Chairman of the Soviet Control Commission for Germany. It decided that it would send the letters by telegram as well as by air mail and would make the texts available to the Press forty-eight hours after their despatch by telegram.

29. In its letter dated 22 February 1952 to the Chairman of the Allied High Commission, the Commission sought his good offices to transmit to the appropriate authorities in the Federal Republic of Germany and in the Western Sectors of Berlin the wish of the Commission to discuss with those authorities the arrangements deemed necessary by it to enable it to undertake its work. The Commission stated further that it would appreciate it if arrangements could be made to hold a meeting on 17 March with the authorities of the Federal Republic, and another on 21 March with the authorities of the Western Sectors of Berlin. In its letter dated 22 February 1952 to the Chairman of the Soviet Control Commission, the Commission similarly sought his good offices to transmit to the appropriate authorities in the Soviet Zone of Germany and in the Eastern Sector of Berlin the wish of the Commission to discuss with those authorities the arrangements deemed necessary by it to enable it to undertake its work. The Commission stated further that it would appreciate it if arrangements could be made to hold a meeting on 17 March with the authorities of the Soviet Zone of Germany and another on 21 March with the authorities of the Eastern Sector of Berlin. The Commission asked to be informed of the places designated by the authorities concerned for the meetings it had suggested. It stated that both the Commission, on the one hand, and all the authorities in Germany

<sup>1</sup>See pp. 1795-1800. The full text of the first report appears in UN doc. A/2122, May 5, 1952. For the second report, August 3, 1952, see *infra*. The Commission was established by General Assembly resolution 510 (VI), December 20, 1951 (*American Foreign Policy, 1946-1955*, vol. II, pp. 1705-1707).

and the German people, on the other, had common objectives and indeed a good deal of common ground on the basis of which they could all cooperate to set up the edifice of a free, united, and democratic Germany.

30. The Commission was anxious, if possible, to meet simultaneously with the authorities in the Federal Republic as well as in the Soviet Zone of Germany on the same date, and similarly to meet with the authorities in the Western Sectors and in the Eastern Sector of Berlin on the same date. It was for this reason that, in its letters to the Allied High Commission and the Soviet Control Commission, the Commission had suggested meetings with the authorities in both Western and Eastern Germany on the same dates. If the meetings it had suggested came about, it was the Commission's intention to divide itself into two groups so as to be able to meet simultaneously with those authorities.

31. After considering its rules regarding the quorum required for its meetings and its voting procedure, the Commission adjourned to meet again on 10 March. It was decided that during the period of the adjournment a draft memorandum would be prepared concerning the arrangements deemed necessary by the Commission to enable it to undertake its work which would serve as a basis for discussions at the projected meetings of the Commission with the authorities in Germany. It was hoped that, by 10 March, replies would have been received from the Allied High Commission and the Soviet Control Commission.

32. The Commission next met from 10 to 15 March to consider the situation. To its letter dated 22 February 1952 to the Chairman of the Allied High Commission, the Commission had received a reply dated 1 March 1952, to the effect that the Chancellor of the Federal Republic of Germany and certain of his colleagues in the Federal Cabinet would be glad to meet with the Commission on 17 March in Bonn and that the Federal Government was further prepared "to afford the members of the Commission every possible assistance in the performance of their important task". The Commission was further informed that representatives of the (West) Berlin Senate proposed to meet with the Commission on 21 March 1952 in Berlin.

33. Not having received a reply from the Soviet Control Commission by 10 March, the Commission decided to write again to General Chuikov, Chairman of the Soviet Control Commission for Germany. In its second letter to General Chuikov dated 10 March, the Commission again stated its wish to meet with the appropriate authorities in the Soviet Zone of Germany and in the Eastern Sector of Berlin to discuss with them the arrangements deemed necessary by it to enable it to undertake its work, and requested that this fact be conveyed to those authorities. The Commission again suggested that it would appreciate if arrangements could be made to enable it to meet with those authorities on 17 and 21 March respectively. The Commission informed General Chuikov that it was confirming arrangements to meet with the authorities in the Federal Republic of Germany and in the Western Sectors of Berlin on 17 and 21 March respectively. It requested a reply from General Chuikov by 12 noon of 14 March, in view of the necessity to make final its travel arrangements by Friday 14 March. This letter was sent both by telegram and air

mail, and was later released to the Press. The Commission did not receive a reply to this letter.

34. The Commission decided that, during its forthcoming visit to Germany, it should also meet with the Allied High Commission to submit to it the Commission's memorandum concerning the arrangements deemed necessary by it to enable it to undertake its work. The Commission, therefore arranged to have a meeting in Bonn with the Allied High Commission on 17 March 1952.

35. During the period 11 to 14 March, the Commission considered the draft memoranda that it was to submit to the authorities in Germany that had expressed their willingness to receive the Commission. On 14 March, the Commission unanimously approved their text. The memoranda were identic in substance, excepting only for such changes as were necessary in view of the fact that they were addressed to different authorities in Germany. They specified, among other things, that during the period of the Commission's work

(a) The Commission and its secretariat be granted by the authorities concerned the right to travel freely throughout their respective areas and that the Commission and its secretariat be granted normal and recognized diplomatic privileges and immunities;

(b) The Commission and its secretariat be granted by the authorities concerned the right of free access to such persons, places and relevant documents as the Commission might consider necessary, that the Commission be granted the right to summon any witnesses it might wish to examine or obtain testimony from; and, further, that the Commission be given specific assurance by the authorities concerned that such witnesses would not be impeded from meeting with it, that such persons or their relatives would be immune from any manner of punishment for their having met with and given evidence before the Commission, and that the witnesses would not be forced to reveal the contents of their testimony;

(c) The Commission and its secretariat be granted the right by the authorities concerned to communicate freely and without hindrance with the people in their areas; that the Commission be assured by the authorities concerned that communications to and from the Commission and its secretariat would be immune from censorship, delay or suppression; and that the Commission be given assurance that persons communicating with it or receiving communications from it would not be punished in any manner for having such contact.

36. On 14 March, the Commission also approved the text of a statement to be delivered by its Chairman on its behalf at the forthcoming meeting of the Commission with the authorities of the Federal Republic of Germany, and the text of an address to the German people to be broadcast from Bonn by Mr. Kohnstamm on behalf of the Commission.

### *Section 2. Work of the Commission in Germany*

37. Leaving Geneva on the evening of 15 March 1952 by train, the Commission arrived in Bonn the following morning. Mr. Abbasi, the representative of Pakistan, was unable to join the Commission on

its visit to Germany due to his indisposition, and the Government of Pakistan appointed Mr. Omar Hayat Malik, its Ambassador to the Federal Republic of Germany, to take his place pending Mr. Abbasi's return to the Commission. The Commission would like to place on record its appreciation of the services rendered by Mr. Malik, who was called at very short notice to assist it.

38. On 17 March, the Commission met with the Allied High Commission and submitted to it the memorandum already referred to. In submitting it, the Chairman stated that the memorandum was couched in broad and general terms, as it was the Commission's view that at the present stage it might not be necessary to dwell on numerous details. If agreement on the terms of the memorandum could be reached, then it would be the Commission's view that, within the broad scope of that agreement, any detailed arrangements subsequently deemed necessary could be made with the authorities concerned. He added that he and his colleagues felt that the assurances they were seeking from the responsible authorities in Germany were of very great and fundamental importance for the fulfilment of the task entrusted to the Commission by the United Nations. The Commission could hope to fulfil its mission faithfully and successfully only if the German people, as a result of the assurances and guarantees it was requesting, felt assured that they could co-operate with the Commission without fear and in perfect freedom. It had come to the conclusion, therefore, that it would be necessary to conclude a written agreement regarding the subject matter of the memorandum with all the responsible authorities in Germany. The Commission hoped to be able to make uniform arrangements with and secure uniform assurances from all those authorities. It considered it essential that in all parts of Germany all the people should have the same safeguards and that the United Nations Commission should receive in all parts of Germany identical facilities. The Chairman stated, in conclusion, that he and his colleagues would also like to discuss with the Allied High Commission the question whether it would not be necessary, in view of the fact that the Governments the Allied High Commission represented exercised supreme responsibility in Germany, for the two Commissions to conclude an agreement, at least in regard to those issues raised in the memorandum which possibly fell within the scope of the powers that were reserved to itself by the Allied High Commission. The Allied High Commission might also want to convey to the United Nations Commission formally that it would be prepared to grant it the facilities and assurances it required.

39. Mr. François-Poncet, Chairman of the Council of the Allied High Commission, in his reply on behalf of his colleagues, stated that there was nothing in the memorandum that called for a reservation or a negative reply on the part of the Allied High Commission and that he could forthwith give the Commission the formal assurance that the Allied High Commission would assist it in every way possible. In so far as it was possible within the limits of its competence, the Allied High Commission would grant the United Nations Commission the guarantees and facilities it had specified in its memorandum. The Allied High Commission sent a formal reply on these lines the same day. At a meeting held on 19 March, the Commission took note of the reply, expressing its satisfaction therewith.

40. Immediately following its meeting with the Allied High Commission, the Commission met with the Chancellor of the Federal Republic of Germany and a number of his colleagues in the Federal Cabinet at the Haus Schaumburg in Bonn. The Federal Chancellor stated that the United Nations, by setting up the present Commission, had shown its readiness to investigate whether conditions existed for the holding of free elections throughout Germany and that it had provided an assurance that an objective and conscientious enquiry would be made into that problem of vital importance to the German people. He gave the assurance that the Federal Government would give the Commission all the assistance it could to help it carry out those investigations, and expressed the hope that the Commission would achieve complete success, and that the delays that might arise would not persuade it to abandon the pursuit of its objective, which was the objective of the United Nations, of the Federal Government and of the German nation, namely, the re-establishment of German unity in peace and freedom.

41. The Chairman of the Commission, in his reply to the statement of the Federal Chancellor, after outlining the events that led to the setting up of the Commission by the United Nations, stated that the German people, the different German authorities, and the four occupying Powers had all declared as their common objective the bringing into being of a free, united, democratic and peaceful Germany, essentially by means of genuinely free and secret elections. That was also the purpose which the Commission would seek to serve to the extent that it was empowered to do by its terms of reference. In the discharge of its task, it was most anxious to assure all the German people and all the German authorities of its complete objectivity and impartiality. Under its terms of reference, the Commission was required to carry out its investigation simultaneously in all the zones of Germany. The Commission could carry out its task, therefore, only when it was enabled to enter and travel freely in all areas of Germany and when it was granted by all the authorities concerned the facilities deemed necessary by it. The object of its present visit to Germany, however, was to meet those authorities who had expressed their willingness to do so in order to discuss and try to make with them such arrangements as the Commission deemed necessary to enable it to undertake its work. That was an essential preliminary task which had to be performed before the Commission could take the next step.

42. After submitting to the Federal Chancellor the Commission's memorandum concerning the arrangements deemed necessary by it to enable it to undertake its work, the Chairman of the Commission stated that it would be necessary to publish at an appropriate time the agreement the Commission hoped to reach with the Federal Government in order to assure the people of the Federal Republic that they could co-operate with the Commission without fear and in perfect freedom.

43. The Federal Chancellor, after stating his belief that his Government would provide the Commission with all the facilities and guarantees it had requested, replied that, as soon as possible after his Government had had an opportunity of considering the memorandum, a formal reply would be provided.

44. The Commission further met with the authorities of the Federal Republic on 18 March to discuss the contents of its memorandum. Following the clarifications offered by the Commission, the representatives of the Federal Republic stated that a formal reply along the lines agreed at the meetings would be given to the Commission on 19 March and that the Federal Government would, without delay, initiate such legislative measures as were necessary to grant certain of the facilities and assurances required by the Commission.

45. The Government of the Federal Republic of Germany submitted its reply to the Commission's memorandum at a meeting on 19 March. The Chairman of the Commission, in acknowledging it with appreciation, stated that the Commission was entirely satisfied therewith.

46. During its stay in Bonn, the Commission held a press conference, at which over a hundred correspondents were present, to explain the object of its visit to Germany.

47. On 20 March, the Commission left Bonn for Berlin, travelling by commercial airline. At a meeting held in Berlin on the evening of its arrival, the Commission decided that it would submit to the representatives on the Inter-Allied *Kommandatura*, with whom it had already arranged to hold a meeting the next day, a memorandum similar to the ones it had earlier presented to the Allied High Commission and to the Federal Republic, to try and secure from them also an agreement regarding the facilities it would need in Berlin. At the same meeting, the Commission approved the text of a broadcast to the German people to be delivered on behalf of the Commission by Mr. Kohnstamm.

48. The Commission met on 21 March representatives on the Inter-Allied *Kommandatura* and submitted to them the memorandum already referred to. General Carolet (French Military Governor of Berlin), Chairman of the Inter-Allied *Kommandatura*, stated that, in so far as he, the United Kingdom and the United States Commanders in Berlin were concerned, he could give the Commission the assurance that, within the limits of their competence and resources, they would be prepared to do everything they could to provide the Commission with the guarantees and facilities it needed. General Carolet confirmed his statement in a formal reply he sent the Commission the same day. The Commission took note of this reply and expressed its satisfaction therewith.

49. After its meeting with the Inter-Allied *Kommandatura*, the Commission met with Mr. Reuter, Governing Mayor of West Berlin, and other representatives of the Berlin Senate to submit a memorandum similar to the ones it had submitted earlier to the Inter-Allied *Kommandatura*, the Allied High Commission and the Federal Republic. Mr. Reuter, in welcoming the Commission, stated that the people of Berlin earnestly wished to be reunited with their fellow-countrymen in the area of Germany occupied by the Soviet Union authorities under a single Government by means of genuinely free elections, and assured the Commission of his Government's co-operation in its work. He said that representatives of his Government desired to discuss the Commission's memorandum with it at another meeting, and he hoped to present his Government's official reply to the Commission the following day.

50. The Chairman of the Commission, in submitting the memorandum, thanked Mr. Reuter for his assurances of co-operation. Thereafter, speaking in German, he stated that the impossible situation in which the citizens of Berlin were forced to live was a daily reminder to the world that such division could not and must not last indefinitely. He conveyed the sympathy of the Commission to the Berlin population that was enduring hardships on account of the division of the city.

51. The Commission held a second meeting the same afternoon with the representatives of the (West) Berlin Senate. Following an exchange of views, Mr. Reuter stated to the Commission that his Government's answer to its memorandum would be exactly the same as that of the Government of the Federal Republic, and that the reply would be delivered to the Commission the next day.

52. On 22 March, Mr. Reuter handed over to the Commission the reply of his Government to the Commission's memorandum. The Chairman of the Commission, in acknowledging it with appreciation, stated that the Commission was entirely satisfied with the reply.

53. The Commission held on the same day a press conference, at which about two hundred press correspondents were present, to explain the object of its visit to Germany and to give an account of the results of its efforts to make with the authorities concerned the arrangements deemed necessary by it to enable it to undertake its work.

54. In the seven days the Commission spent in Bonn and Berlin, it completed the work it had set out to do. It had concluded agreements that it regarded as satisfactory with the Allied High Commission for Germany, the Government of the Federal Republic of Germany, the Inter-Allied Kommandatura (in so far as the authority of this body extended over those areas of Berlin over which the French, United Kingdom and United States Commanders in Berlin exercised authority), and with the Government of West Berlin.

55. Before its return to Geneva, however, the Commission met in Berlin on 23 March to decide on its next step. It agreed that another appeal should be addressed to General Chuikov soon after the Commission's return to Geneva and instructed its Chairman to despatch it not later than 26 March. The Commission thereafter left Berlin on 23 and 24 March, proposing to reconvene on 8 April, or earlier if necessary, to consider the situation.

### *Section 3. Work of the Commission after its return from Germany*

56. In its third letter to the Chairman of the Soviet Control Commission for Germany dated 26 March 1952, the Commission drew General Chuikov's attention to its two earlier letters to him dated 22 February and 10 March respectively, and pointed out that it had not received a reply from him to those letters. The Commission further informed General Chuikov that it had concluded satisfactory agreements with the responsible authorities in the Federal Republic of Germany and in West Berlin, and that its ability "to undertake the work entrusted to it by the United Nations is now entirely dependent on the willingness of the responsible authorities in the Soviet Zone of Germany and in the Eastern sector of Berlin to conclude similarly satisfactory arrangements with the Commission." The Commission again sought General Chuikov's good offices to arrange a meeting between it and the appropriate authorities in the Soviet Zone of

Germany and in the Eastern Sector of Berlin to enable the Commission to make with those authorities the necessary arrangements to undertake its work. It transmitted to General Chuikov for his information the texts of the memoranda it had submitted to the authorities in the Federal Republic and in West Berlin and the replies received from them. This letter was sent both by telegram and by air mail and was later released to the Press. The Commission did not receive a reply to this letter.

57. At meetings held on 8 and 9 April, the Commission reached the conclusion that it must before long report to the Secretary-General of the United Nations on the results of the efforts it had so far made with all parties concerned to make the necessary arrangements to enable it to undertake its work, and it was of the view that this report should, if possible, be submitted by the end of April. The Commission further decided that it should make one more appeal to General Chuikov, requesting him to facilitate it in the discharge of its duties.

58. In its fourth and last letter to the Chairman of the Soviet Control Commission for Germany dated 9 April 1952, the Commission drew General Chuikov's attention to its three earlier letters to him dated 22 February, 10 March and 26 March respectively, and pointed out that it had not received a reply from him to those letters. Stating again that the Commission's ability to undertake its work was entirely dependent on the willingness of the responsible authorities in the Soviet Zone of Germany and in the Eastern Sector of Berlin to conclude agreements with the Commission similar to the ones already concluded with it by the authorities in Western Germany, the Commission again requested General Chuikov to facilitate it in the discharge of its duties. It further informed him that it felt obliged, under its terms of reference, to report before long to the Secretary-General on the results of its activities so far, and that it intended to submit a report by the end of April 1952. In view of this conclusion, it requested an answer before 27 April 1952. In concluding its letter, the Commission stated that "in the event of the Commission not receiving a reply from you by the time indicated, the Commission would, to its regret, be obliged to conclude that at present there is little prospect of its being able to pursue its task of investigation." This letter was sent both by telegram and by air mail and was later released to the Press. Up to the date of the signing of this report, the Commission has not received a reply from General Chuikov to any one of its four letters to him.

59. The Commission met from 28 April to 30 April to consider the present report. At its twenty-first meeting held on 30 April 1952, the Commission unanimously approved and signed the report.

### PART III

#### RECAPITULATION OF THE COMMISSION'S WORK AND CONCLUSIONS

60. The United Nations Commission to investigate conditions for free elections in Germany, constituted by General Assembly resolution 510(VI), submits the following recapitulation of its work and its conclusions.

61. The Commission, composed of the representatives of Brazil, Iceland, the Netherlands and Pakistan (Poland having declined to participate in its work), was convened to its first meeting on 11 February 1952 in Paris. Shortly thereafter it moved its headquarters to Geneva from where it began its substantive work as from 21 February. It decided that, under its terms of reference, its first task was to make with all the parties concerned such arrangements as it deemed necessary to enable it to undertake its work.

62. In its efforts to carry out its preliminary task, the Commission addressed a letter on 22 February to the Chairman of the Allied High Commission for Germany requesting his good offices to arrange meetings between the Commission and the appropriate authorities in the Federal Republic of Germany and in the Western Sectors of Berlin, suggesting that the meetings take place on 17 and 21 March respectively. The Commission addressed a similar letter on 22 February to the Chairman of the Soviet Control Commission for Germany requesting his good offices to arrange meetings between the Commission and the appropriate authorities in the Soviet Zone of Germany and in the Eastern Sector of Berlin, suggesting that the meetings take place on 17 and 21 March respectively.

63. On 1 March 1952, the Commission received a reply from the Allied High Commission to the effect that the meetings requested had been arranged. No reply having been received from the Soviet Control Commission of Germany by 10 March, the Commission wrote a second letter on 10 March 1952 to the Chairman of the Soviet Control Commission reiterating the request it had made in its first letter. The Commission did not receive a reply to its second letter.

64. After having prepared a set of identic memoranda concerning the arrangements deemed necessary by the Commission to enable it to undertake its work and which the Commission decided to submit to the authorities in Germany that expressed their willingness to meet with it, the Commission left Geneva on 15 March 1952 for Germany. The Commission stayed in Germany from 16 to 23 March. During this period, it was able to conclude satisfactory agreements concerning the arrangements it required to do its work with the following authorities: (a) the Allied High Commission for Germany; (b) the Government of the Federal Republic of Germany; (c) the Inter-Allied Kommandatura in Berlin (in so far as the authority of this body extended over those areas of Berlin over which the French, United Kingdom and United States Commanders in Berlin exercised authority); and (d) the Government of the Western Sectors of Berlin.

65. Following its return to Geneva, the Commission addressed a third letter on 26 March 1952 to the Chairman of the Soviet Control Commission for Germany and a fourth on 9 April. In its last letter, the Commission stated that it would appreciate receiving a reply as early as possible and in any event before 27 April.

66. The Commission, bearing in mind the direction given to it by paragraph 4(a) of General Assembly resolution 510(VI), decided on 9 April 1952 that it should report before long to the Secretary-General of the United Nations on the results of its efforts to make with all the parties concerned the arrangements deemed necessary by it to enable it to undertake its work. It was of the view that its report should, if possible, be submitted by the end of April. Not having received a

reply to any of its four letters to the Soviet Control Commission before 27 April, the Commission decided on 28 April to proceed with the preparation and submission of the present report.

67. While the Commission has been successful in carrying out its preliminary task in the Federal Republic of Germany and in the Western Sectors of Berlin, it has not thus far been able to establish reciprocal contact with the authorities in the Soviet Zone of Germany and in the Eastern Sector of Berlin even by correspondence. The Commission consequently has not thus far been able to make with the authorities concerned in the Soviet Zone of Germany and in the Eastern Sector of Berlin the arrangements deemed necessary by it to enable it to undertake its work in accordance with its terms of reference. Bearing in mind the infructuous efforts it has made on four separate occasions to appeal to the Soviet Control Commission for Germany to facilitate it in the discharge of its duties, the Commission, to its regret, is obliged to conclude that at present there is little prospect of its being able to pursue its task.

68. However, in view of the fact that sub-paragraph 4(c) of General Assembly resolution 510(VI) "directs the Commission, if it is unable forthwith to make these arrangements, to make a further attempt to carry out its task at such time as it is satisfied that the German authorities in the Federal Republic, in Berlin, and in the Soviet Zone will admit the Commission, as it is desirable to leave the door open for the Commission to carry out its task", the Commission will remain at the disposal of the United Nations and the parties concerned, and will make a further attempt to implement its mandate at such time as it seems likely to the Commission that new steps may lead to positive results.

69. The following four representatives on the Commission, whose signatures are appended below, unanimously adopted the report at the twenty-first meeting of the Commission held on 30 April 1952 in the *Palais des Nations*, Geneva.

(Signed)	Brazil	A. MENDES VIANNA
	Iceland	K. ALBERTSON
	Netherlands	M. KOHNSTAMM
	Pakistan	A. H. ABBASI

*Letter from the American, British, and French High Commissioners to Chancellor Adenauer, on Aid to Berlin, May 26, 1952<sup>1</sup>*

As we have already advised you during our discussions on the Conventions between the Three Powers and the Federal Republic which have been signed today, the reservation made on 12 May 1949 by the Military Governors concerning Articles 23 and 144(2) of the Basic Law will, owing to the international situation, be formally maintained by the Three Powers in the exercise of their right relating to Berlin after the entry into force of those Conventions.

The Three Powers wish to state in this connection that they are nonetheless conscious of the necessity for the Federal Republic to

<sup>1</sup> Senate Executives Q and R, 82d Congress, 2d Session, p. 154.

furnish aid to Berlin and of the advantages involved in the adoption by Berlin of policies similar to those of the Federation.

For this reason they have decided to exercise their right relating to Berlin in such a way as to facilitate the carrying out by the Federal Republic of its declaration attached to the Convention on Relations between the Three Powers and the Federal Republic and to permit the Federal authorities to ensure representation of Berlin and of the Berlin population outside Berlin.

Similarly, they will have no objection if, in accordance with an appropriate procedure authorized by the Allied Kommandatura, Berlin adopts the same legislation as that of the Federal Republic, in particular regarding currency, credit and foreign exchange, nationality, passports, emigration and immigration, extradition, the unification of the customs and trade area, trade and navigation agreements, freedom of movement of goods, and foreign trade and payments arrangements.

In view of the declaration of the Federal Republic concerning material aid to Berlin and the charge on the Federal budget of the occupation costs of the Three Powers in Berlin in accordance with the provisions of existing legislation, the Three Powers will be prepared to consult with the Federal Government prior to their establishment of their Berlin occupation cost budgets. It is their intention to fix such costs at the lowest level consistent with maintaining the security of Berlin and of the Allied Forces located there.

***Declaration by the German Federal Republic, on Aid to Berlin,  
May 26, 1952<sup>1</sup>***

In view of the special role which Berlin has played and is destined to play in the future for the self preservation of the free world, aware of the ties connecting the Federal Republic with Berlin, and motivated by the desire to strengthen and to reinforce the position of Berlin in all fields, and in particular to bring about insofar as possible an improvement in the economy and the financial situation in Berlin including its productive capacity and level of employment, the Federal Republic undertakes.

- (a) to take all necessary measures on its part in order to ensure the maintenance of a balanced budget in Berlin through appropriate assistance;
- (b) to take adequate measures for the equitable treatment of Berlin in the control and allocation of materials in short supply;
- (c) to take adequate measures for the inclusion of Berlin in assistance received by the Federal Republic from outside sources in reasonable proportion to the unutilized industrial resources existing in Berlin;
- (d) to promote the development of Berlin's external trade, to accord Berlin such favoured treatment in all matters of trade policy as circumstances warrant and to provide Berlin within the limit of possibility and in consideration of the participation of Berlin in the foreign currency control by the Federal Republic, with the necessary foreign currency;

<sup>1</sup> *Ibid.*, pp. 14-15.

- (e) to take all necessary measures on its part to ensure that the city remain in the currency area of the Deutsche Mark West, and that an adequate money supply is maintained in the city;
- (f) to assist in the maintaining in Berlin of adequate stock-piles of supplies for emergencies;
- (g) to use its best efforts for the maintenance and improvement of trade and of communications and transportation facilities between Berlin and the Federal territory, and to cooperate in accordance with the means at its disposal in their protection or their reestablishment;
- (h) to facilitate the inclusion of Berlin in the international agreements concluded by the Federal Republic, provided that this is not precluded by the nature of the agreements concerned.

***Declaration by the Allied (Western) Kommandatura, on Berlin,  
May 26, 1952<sup>1</sup>***

Taking into consideration the new relations established between France, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the Federal Republic of Germany and wishing to grant the Berlin authorities the maximum liberty compatible with the special situation of Berlin,

the Allied Kommandatura makes this declaration :

**I**

Berlin shall exercise all its rights, powers and responsibilities set forth in its Constitution as adopted in 1950 subject only to the reservations made by the Allied Kommandatura on 29th August, 1950, and to the provisions hereinafter.

**II**

The Allied authorities retain the right to take, if they deem it necessary, such measures as may be required to fulfil their international obligations, to ensure public order and to maintain the status and security of Berlin and its economy, trade and communications.

**III**

The Allied authorities will normally exercise powers only in the following fields :

- (a) Security, interests and immunities of the Allied Forces, including their representatives, dependents and non-German employees. German employees of the Allied Forces enjoy immunity from German jurisdiction only in matters arising out of or in the course of performance of duties or services with the Allied Forces;
- (b) Disarmament and demilitarisation, including related fields of scientific research, civil aviation, and prohibitions and restrictions on industry in relation to the foregoing;
- (c) Relations of Berlin with authorities abroad. However, the Allied Kommandatura will permit the Berlin authorities to

<sup>1</sup> American Foreign Policy, 1950-1955, vol. II, pp. 1740-1742.

assure the representation abroad of the interests of Berlin and of its inhabitants by suitable arrangements;

(d) Satisfaction of occupation costs. Those costs will be fixed after consultation with the appropriate German authorities and at the lowest level consistent with maintaining the security of Berlin and of the Allied Forces located there;

(e) Authority over the Berlin police to the extent necessary to ensure the security of Berlin.

#### IV

The Allied Kommandatura will not, subject to Articles I and II of this Declaration, raise any objection to the adoption by Berlin under an appropriate procedure authorised by the Allied Kommandatura of the same legislation as that of the Federal Republic, in particular regarding currency, credit and foreign exchange, nationality, passports, emigration and immigration, extradition, the unification of the customs and trade area, trade and navigation agreements, freedom of movement of goods, and foreign trade and payments arrangements.

#### V

In the following fields:

(a) restitution, reparations, decartelisation, deconcentration, foreign interests in Berlin, claims against Berlin or its inhabitants,

(b) displaced persons and the admission of refugees,

(c) control of the care and treatment in German prisons of persons charged before or sentenced by Allied courts or tribunals; over the carrying out of sentences imposed on them and over questions of amnesty, pardon or release in relation to them, the Allied authorities will in future only intervene to an extent consistent with, or if the Berlin authorities act inconsistently with, the principles which form the basis of the new relations between France, the United Kingdom and the United States on the one part and the Federal Republic of Germany on the other, or with the Allied legislation in force in Berlin.

#### VI

All legislation of the Allied authorities will remain in force until repealed, amended or deprived of effect.

The Allied authorities will repeal, amend or deprive of effect any legislation which they deem no longer appropriate in the light of this declaration.

Legislation of the Allied authorities may also be repealed or amended by Berlin legislation; but such repeal or amendment shall require the approval of the Allied authorities before coming into force.

#### VII

Berlin legislation shall come into force in accordance with the provisions of the Berlin Constitution. In cases of inconsistency with Allied legislation, or with other measures of the Allied authorities, or with the rights of the Allied authorities under this declaration,

Berlin legislation will be subject to repeal or annulment by the Allied Kommandatura.

## VIII

In order to enable them to fulfil their obligations under this declaration, the Allied authorities shall have the right to request and obtain such information and statistics as they deem necessary.

## IX

The Allied Kommandatura will modify the provisions of this declaration as the situation in Berlin permits.

## X

Upon the effective date of this declaration the Statement of Principles Governing the Relationship between the Allied Kommandatura and Greater Berlin of 14th May, 1949, as modified by the First Instrument of Revision, dated 7th March, 1951, will be repealed.

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*Western Declaration on Germany, the European Defense Community, and Berlin, May 27, 1952<sup>1</sup>*

The Governments of France, the United Kingdom of Great Britain and Northern Ireland, and the United States of America have signed conventions with the German Federal Republic which will establish a new relationship with that country. These conventions, as well as the treaties for a European Defense Community and a European Coal and Steel Community, of which France is a signatory, provide a new basis for uniting Europe and for the realization of Germany's partnership in the European Community. They are designed to prevent the resurgences of former tensions and conflicts among the free nations of Europe and any future revival of aggressive militarism. They make possible the removal of the special restraints hitherto imposed on the Federal Republic of Germany and permit its participation as an equal partner in Western defense.

These conventions and treaties respond to the desire to provide by united efforts for the prosperity and security of Western Europe. The Governments of the United Kingdom and the United States consider that the establishment and development of these institutions of the European Community correspond to their own basic interests and will therefore lend them every possible cooperation and support.

Moreover, Western Defense is a common enterprise in which the Governments of the United Kingdom and the United States are already partners through membership of the North Atlantic Treaty Organization.

These bonds are now strengthened by the system of reciprocal guarantees agreed to between the member States of the European Defense Community, between these member States and the United Kingdom and also between these member States and the member States of the North Atlantic Treaty Organization.

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<sup>1</sup> *Ibid.*, vol. I, pp. 1187-1198.

For these various reasons, including the fact that these new guarantees will apply to the States concerned only as members of one or the other of these organizations, the Governments of the United Kingdom and the United States have an abiding interest, as has the Government of France, in the effectiveness of the treaty creating the European Defense Community and in the strength and integrity of that Community. Accordingly, if any action from whatever quarter threatens the integrity or unity of the Community, the two Governments will regard this as a threat to their own security. They will act in accordance with Article 4 of the North Atlantic Treaty. Moreover, they have each expressed their resolve to station such forces on the continent of Europe, including the Federal Republic of Germany, as they deem necessary and appropriate to contribute to the joint defense of the North Atlantic Treaty area, having regard to their obligations under the North Atlantic Treaty, their interest in the integrity of the European Defense Community, and their special responsibilities in Germany.

The security and welfare of Berlin and the maintenance of the position of the three powers there are regarded by the three powers as essential elements of the peace of the free world in the present international situation. Accordingly, they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

These new security guarantees supersede the assurances contained in the declaration of the Foreign Ministers of France, the United Kingdom and the United States at New York on September 19th, 1950.

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*Second Report of the United Nations Commission to Investigate Conditions for Free Elections in Germany, August 5, 1952<sup>1</sup>*

1. The United Nations Commission to investigate Conditions for Free Elections in Germany submits to the Secretary-General the present report covering its work during the period from May to August 1952 in pursuance of the direction given to it by the General Assembly of the United Nations.

2. In compliance with the direction given to it under the terms of paragraph 4(a) of the resolution adopted by the General Assembly on 20 December 1951 (resolution 510(VI)) on the agenda item entitled "Appointment of an impartial international commission under United Nations supervision to carry out a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany in order to determine whether existing conditions there make it possible to hold genuinely free elections throughout these areas", the Commission submitted on 1 May 1952 [*30 April*] its report on the results of its efforts to make the necessary arrangements with all the parties concerned to enable it to undertake its work according to the terms of the said resolution.

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<sup>1</sup> *Ibid.*, vol. II, pp. 1814-1819. Excerpts from the first report (April 30, 1952) are printed *supra*.

3. This first report of the Commission contained an account of its activities from 11 February 1952, the date when the Commission first met and organized itself, to 30 April 1952, the date by which the Commission considered it was obliged to submit its first report after having made in that preliminary period every reasonable effort to make the necessary arrangements with all the parties concerned to enable it to undertake its work.

4. The present report, which supplements the first and is in a sense a postscript to it, contains a brief account of the work of the Commission in the three-month period subsequent to the submission of the first report, including a brief summation of the views of the Commission as regards developments in the German situation in so far as they may be regarded as having had a bearing on the specific task the Commission was required to carry out.

5. The report is being submitted in accordance with the direction to the Commission contained in paragraph 4(d) of General Assembly resolution 510(VI), which "directs the Commission in any event to report, not later than 1 September 1952, on the results of its activities to the Secretary-General, for the consideration of the four Powers and for the information of the other Members of the United Nations".

6. At its 24th meeting held on 31 July 1952 in Geneva, the Commission decided that the final report it was required to submit according to the terms of paragraph 4(d) of the resolution quoted above should not be delayed any longer, as, in its view, there appeared at the time hardly any further possibility of its being able to carry out its task of simultaneous investigation throughout the whole of Germany of conditions for free elections in that country. Throughout the period of three months during which the Commission has had to remain in Geneva at no little sacrifice to the Member Governments concerned, in constant session and ready to go into action at any time it could do so or it appeared feasible to make an attempt to do so, it had become increasingly evident that the unwillingness to co-operate with and assist the Commission to discharge its tasks displayed at the sixth session of the General Assembly by the representatives of the Union of Soviet Socialist Republics and of the German authorities in the Soviet Zone of Germany, remained undiminished.

7. It will be recalled that the Commission in its first report stated the then existing position in paragraphs 67 and 68, which for the sake of ready reference are reproduced below:

"While the Commission has been successful in carrying out its preliminary task in the Federal Republic of Germany and in the Western Sectors of Berlin, it has not thus far been able to establish reciprocal contact with the authorities in the Soviet Zone of Germany and in the Eastern Sector of Berlin even by correspondence. The Commission consequently has not thus far been able to make with the authorities concerned in the Soviet Zone of Germany and in the Eastern Sector of Berlin the arrangements deemed necessary by it to enable it to undertake its work in accordance with its terms of reference. Bearing in mind the unfruitful efforts it has made on four separate occasions to appeal to the Soviet Control Commission for Germany to facilitate it in

the discharge of its duties, the Commission, to its regret, is obliged to conclude that at present there is little prospect of its being able to pursue its task.

"However, in view of the fact that sub-paragraph 4(c) of General Assembly resolution 510(VI) 'directs the Commission, if it is unable forthwith to make these arrangements, to make a further attempt to carry out its task at such time as it is satisfied that the German authorities in the Federal Republic, in Berlin, and in the Soviet Zone will admit the Commission, as it is desirable to leave the door open for the Commission to carry out its task', the Commission will remain at the disposal of the United Nations and the parties concerned, and will make a further attempt to implement its mandate at such time as it seems likely to the Commission that new steps may lead to positive results".

6. In all the period that the Commission has had to remain in session in Geneva since the submission of its first report in order to make an effort to implement, if feasible, the directions given to it by paragraphs 4(c) and 4(b) of General Assembly resolution 510(VI), the Commission had hoped that the authorities of the USSR as well as the German authorities in the Soviet Zone of Germany would ultimately see their way clear to co-operate with the Commission, an impartial, international body set up by the United Nations with the positive support of forty-five out of its sixty Members, and one that had already received every assurance of co-operation from the authorities representing by far the greater portion of the German people. This hope was entertained by the Commission because of its understanding that the authorities of the USSR as well as the German authorities in the Soviet Zone of Germany, were as anxious as the three Western Powers and the authorities in the Federal Republic of Germany and the Western Sectors of Berlin to bring about a peaceful solution to the German question by way of the formation of a freely elected all-German government with which the four occupying Powers could proceed to negotiate a peace treaty. It seemed clear to the Commission that the four occupying Powers were agreed that an essential preliminary to the formation of an all German government was that it should be formed on the basis of free elections, and further that, prior to the formation of such a government, an investigation by an impartial body was necessary to determine whether existing conditions throughout Germany admitted of the possibility of genuinely free elections. It was the Commission's hope that the Government of the USSR, anxious as it was for a quick and just solution to the German question, would ultimately be persuaded to repossess faith in a body that had been set up by an overwhelming majority of its colleagues in the United Nations.

7. In the period between the submission of its first report and before it could make a further attempt to carry out its task, the Commission considered that it would have to be reasonably certain that, at whatever time it did make the further attempt, it would be attended with some prospect of success. The Commission, therefore, was perfectly concerned to consider closely developments in the German situation arising out of the exchange of Notes between the USSR on the one hand, and France, the United Kingdom and the United States of

America on the other, as well as significant developments inside Germany itself.

10. The series of Notes on the German question exchanged between the USSR and the three Western Powers, it will be recalled, commenced with one from the USSR dated 10 March 1952, by which date the Commission had been in existence and at work for a month. By the time the Commission submitted its first report on 1 May 1952, the USSR had addressed two Notes to the three Western Powers (on 10 March and 9 April respectively), and the three Western Powers had replied on 25 March to the first Soviet Note. Between 1 May and 5 August 1952, the date on which the present report was adopted by the Commission, three further Notes were exchanged between the four occupying Powers. In none of the six Notes could the Commission discern any agreement whatsoever between the USSR and the three Western Powers as to utilization of the Commission in carrying out an investigation in all of Germany to determine whether existing conditions there made it possible to hold genuinely free elections in that country. Indeed, what became more obvious as a result of the exchange of the series of Notes was the following: (1) that the three Western Powers, while they continued to maintain more or less strongly their preference for the present United Nations Commission, were nevertheless prepared at the same time "to consider any other practical and precise proposals for an impartial commission of investigation which the Soviet Government may wish to put forward, on the one condition that they are likely to promote the early holding of free elections throughout Germany" and (2) that the USSR, continuing to maintain its objection to the competence of the United Nations to concern itself with the German question, rejected investigation by the present Commission, while it was agreeable to an investigation by another impartial commission formed by the four Powers occupying Germany.

11. The Commission, at this point, would like to make certain observations. While on the one hand, the Commission derives its mandate solely from the General Assembly of the United Nations, it is, on the other hand, entirely dependent on the willingness of all the parties concerned to co-operate unreservedly with it for the execution of its mandate. It has so far been unable to secure this co-operation from the authorities in the Soviet Zone of Germany, and it could see at the time of the adoption of the present report little prospect of its being able to do so in the near future. The Commission, as a United Nations body, is anxious above all for an early, just and peaceful solution of the German question, regardless of whether the steps contributing to such a solution are to be worked out under the auspices of the United Nations or not. The United Nations, the Commission is confident, would at all times be prepared to heed any appeal for its assistance in the finding of a peaceful solution to this question. This being its view, the Commission would not desire to suggest that it alone affords the only impartial means of investigating existing conditions in all of Germany. The Commission would consider its existence and its work hitherto justified, and its mission in substance fulfilled, if, by agreement among the four occupying Powers, another equally impartial body were to be set up which could and would carry out the essentials of the mandate entrusted to the present United Nations Commission.

12. Apart from its consideration of the situation arising out of the exchange of the series of Notes between the USSR and the three Western Powers, the Commission, during the last three-month period, has also been watching with concern reports of internal developments in Germany. These have been such as to afford no hope to the Commission that the German authorities in the Soviet Zone of Germany will co-operate with it in the execution of its task.

13. At its 23rd meeting held on 11 July, the Commission felt that it might perhaps be well for it to wait to consider the USSR reply to the Note of the three Western Powers dated 10 July before deciding to submit the present report and adjourn its session *sine die*. However, after further prolonged deliberation, it decided that, if past events provided any indication of the nature of things to come, there was little prospect of its being able to carry out its task any further beyond what it had been able to do in the preliminary period of its activity. At its 24th meeting held on 31 July, the Commission decided, therefore, to submit its final report and adjourn its session *sine die*, desiring however, to maintain its headquarters and secretariat in the Palais des Nations, Geneva, until the expiry of its mandate. While with the adjournment *sine die* of its session the Commission has left its representatives free to resume duty with their respective Governments, the Commission as a body wishes, however, again to lay stress on the fact that, in compliance with the resolution of the General Assembly, it will continue to remain at the disposal of the United Nations and all the parties concerned to carry out its task during such time as the mandate entrusted to it remains in force, and at such time as it seems likely to the Commission that it can do so with a prospect of positive results.

14. The following four representatives on the Commission, whose signatures are appended below, unanimously adopted the report at the 25th meeting of the Commission held on 5 August 1952 in the Palais des Nations, Geneva.

*Signed:*

*Brazil*

A. MENDES VIANNA

*Iceland*

KRISTJÁN ALBERTSON

*Netherlands*

M. KOHNSTAMM

*Pakistan*

A. H. ABBASI

***Communiqué by President Eisenhower and Chancellor Adenauer,  
on Germany and European Security, April 9, 1953<sup>1</sup>***

The President of the United States, the Secretary of State, and other members of the Cabinet have met during the past 3 days with the Chancellor of the Federal Republic of Germany and had a full and frank exchange of views on the world situation in general and on American-German relations in particular. The conversations took place in a spirit of friendship and cooperation and revealed a far-reaching identity of views and objectives.

The President and the Chancellor discussed the effects which recent developments in the Soviet orbit might have on the East-West conflict. They were fully agreed that, while no opportunity should be missed to bring about a general relaxation of tension, the free nations of the West must not relax their vigilance nor diminish their efforts

<sup>1</sup> *Ibid.*, pp. 1728-1782.

to increase their unity and common strength. They were further agreed that if the Soviet rulers are genuinely desirous of peace and cooperation among all nations, they could furnish no better proof of their good will than by permitting genuinely free elections in the Soviet occupied Zone of Germany and by releasing the hundreds of thousands of German civilian deportees and war prisoners still in Soviet hands. They further stated their joint conviction that there can be no lasting solution of the German problem short of a reunification of Germany by peaceful means and on a free and democratic basis. The achievement of this purpose calls for sustained common efforts of the signatory powers to the contractual agreements signed at Bonn last year.

There was unanimity of conviction that all concerned should press forward unwaveringly toward European unity through early ratification of the treaty establishing a European Defense Community. Achievement of this goal will be accompanied by the establishment of German independence and sovereignty under the contractual agreements. The Chancellor declared that the Federal Republic of Germany is ready and willing to cooperate on a basis of equality and partnership with all the free nations of the West in strengthening the defenses of the free world. The Chancellor was given assurance that the United States would supply military equipment to the European Defense Community to assist in equipping the German contingents, once the treaty has been ratified.

The problem of the Saar was discussed and it was agreed that an early agreement should be sought in the common interest.

Consideration was given to the special situation of Berlin and admiration expressed for the political firmness and courage of its inhabitants. It was agreed that the moral and material support needed to keep the city strong is a matter of primary importance. The Chancellor indicated that he had in mind further measures to increase production and reduce unemployment. The Secretary stated that consideration was now being given to assistance by the U.S. Government to investment and other programs to improve economic conditions in Berlin.

The Chancellor indicated the great difficulties facing the Federal Republic because of the necessity to assimilate not only the millions of expellees who came earlier from eastern areas but the renewed stream of refugees from the Soviet Zone and beyond. The President and Secretary of State recognized the great efforts undertaken by the Federal Republic to care for these homeless persons and to preserve economic and social stability. The discussion took account of the possibility that the Federal Republic and Berlin might be unable to bear this burden alone. The Director for Mutual Security stated that careful consideration of this matter would be given in the course of the preparation of the Mutual Security Program for the year beginning July 1, 1953.

The Chancellor raised the problem of war criminals. The future of the war criminals now in U.S. custody was discussed. The U.S. representative stated that his Government would reexamine the status of these prisoners and would also look forward to the possible

adoption of new review procedures with German participation, as soon as German ratification of the treaties was completed.

The representatives of both Governments exchanged views concerning progress toward the freeing and expansion of world trade and the achievement of currency convertibility. The German representatives expressed particular interest in the reduction of tariffs and customs administrative barriers. For their part, the U.S. representatives noted President Eisenhower's statement of April 7 that "the world must achieve an expanding trade, balanced at high levels which will permit each nation to make its full contribution to the progress of the free world's economy and to share fully the benefits of this progress."

Representatives of the two Governments discussed a number of specific problems connected with the normalization of commercial relations between the United States and Germany, including the prospects for increased use by German exporters of the trademarks owned by German nationals prior to World War II. It was noted that considerable progress had already been achieved in making such trademarks available to former German owners and that future progress in that direction was being sympathetically studied by the United States.

The Chancellor and the Secretary of State agreed that the conclusion of a new treaty of friendship, commerce, and navigation between the United States and the Federal Republic would be of benefit to both countries and that negotiations for such a treaty should begin at a very early date. Meanwhile, as an interim measure, the two Governments are negotiating an agreement to restore to force the 1923 treaty of friendship, commerce, and consular rights as it stood prior to the war, taking into account the requirements of the present situation. This interim agreement, when ratified in both countries, would, among other things, re-establish a basis on which businessmen of each country would be able to reside and carry on business in the other.

The German representatives indicated their interest in the placing of off-shore procurement contracts in Germany. They were informed that as soon as the contractual and European Defense Community treaties have entered into force, the same criteria will be applied in the placing of such contracts in Germany, within the framework of the European Defense Community, as are applied with respect to the placing of contracts in other European countries.

In order to foster closer cultural cooperation between Germany and the United States and promote mutual understanding between their two peoples, an exchange of notes is taking place.

The two Governments reaffirmed their common interest in controlling, together with other nations of the free world, the movement of strategic materials to nations whose policies jeopardize the peace and security of the free world. Both Governments undertook to continue action to that end, and, in particular, to keep under constant review the list of items which from time to time may be subject to embargo to Communist China. The representatives of the Federal Republic also expressed their Government's intention, in cooperation with other trading and maritime nations, to apply supplementary measures, such as transhipment controls, against violations or evasions of existing strategic controls.

Announcement is being made simultaneously in the two capitals of the return to the Federal Republic of approximately 350 vessels formerly of German ownership. Arrangements for their transfer to German authorities will be completed by the U.S. High Commissioner in Germany.

The President and the Chancellor are convinced that the conversations just concluded have made a solid contribution to the achievement of common goals of the two countries, in strengthening the ties of friendship now happily re-established and in consolidating the aims and strength of the free world.

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*Letter from President Eisenhower to Chancellor Adenauer, on the East German Uprising, July 23, 1953<sup>1</sup>*

During the development of the conversations between the U.S. Secretary of State and the Foreign Ministers of Great Britain and France, it occurred to me that it might be helpful if I were to write you a letter in amplification of the thoughts so tightly compressed in the final communiqué.

It seems to me that certain definite patterns are emerging from the situation in East Germany and the Eastern Europe satellite countries—patterns which will unquestionably have a profound effect upon the future, including the proposed meeting of the Foreign Ministers of the Four Powers.

I think, therefore, that it will be useful for me to share my thoughts with you in some detail at this time.

Great historical developments, such as the recent Berlin and East German anti-Communist demonstrations, rarely have single roots. Nevertheless, I am quite certain that future historians, in their analysis of the causes which will have brought about the disintegration of the Communist empire, will single out those brave East Germans who dared to rise against the cannons of tyranny with nothing but their bare hands and their stout hearts, as a root cause. I think also that those same historians will record your own extraordinary steadfastness in the cause of European peace and freedom over many, many years.

In analyzing these recent developments, there appear to be five points of greatest significance.

First, this eruption against Communist oppression was spontaneous. I know that I need not go into any elaborate denial with you of the fantastic explanation put out by Moscow that the uprising was caused by American provocateurs. No provocateur of any nationality can persuade human beings to stand up in front of rumbling tanks with sticks and stones. Such action comes from the heart and not from any foreign purse.

Second, this uprising was not just a momentary flash of desperation. The continuing news of disorders in Eastern Germany indicates a fundamental and lasting determination to be fully and finally free, despite long years of stern Sovietization.

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<sup>1</sup> Department of State Bulletin, August 3, 1953, pp. 147-149. See also communiqué of July 14, 1953 by the Western Foreign Ministers (*American Foreign Policy, 1953-1955*, vol. I, pp. 1463-1467).

Third, nowhere were the rioters "bourgeois reactionaries" or "capitalist warmongers." They were workers. Therefore, the martyrs who fell before Russian Communist guns were the very same workers in whose name the Kremlin has falsely and cynically built their empire of oppression, their farcical "workers' paradise."

Fourth, the fact of the uprising, the conduct of the German Communist leaders during the event and their actions since the event, all indicate the complete political bankruptcy of the SED [*Socialistische Einheitspartei Deutschlands*].

Fifth, and to me of utmost significance, when the riots developed in the Russian sector of Berlin, the workers' chant was, "We want free elections." In this phrase, the people clearly and simply summed up their yearning for the alleviation of their grievances and sufferings.

The combination of these five facts actually forms the background for that portion of the July 15 [14] Foreign Ministers' communique dealing with German unification and free elections. And the communique itself, as you know, is actually the diplomatic confirmation of your own earlier statements, of my June 26 cable to you, and most important, of the resolution of the German Bundestag of June 10.

For the past many months there have been endless arguments and debates on both sides of the Atlantic over the respective priorities of such words and phrases as "unification," "peace treaty," "free elections," "withdrawal of occupation troops," etc.

It has always seemed to me—and these recent events, to me at least, clearly confirm the thought—that there can be no solution without free elections and the formation of a free all-German Government, leading to unification. From that point on can flow a logical, orderly sequence of events, culminating in an honorable peace treaty and the re-emergence of a new united German Republic, dedicated to the welfare of its own people, as a friendly and peaceful member of the European family of nations.

To this first step of free elections, the Government of the United States will continue to lend the full force of its political, diplomatic, and moral support.

There are sincere people in Germany, in the nations of Western Europe, and even in my own country, who have come to believe that free elections, and therefore the unification of Germany, contradict and possibly exclude the concept of the European Defense Community which has been ratified by both your Houses of Parliament and is now before your Constitutional Court. I do not and have never accepted this theory that the EDC and unification of Germany are mutually exclusive. Quite the contrary.

As the three Foreign Ministers stated at the conclusion of their recent meeting in Washington, since the European community corresponds to the lasting needs of its members and their peoples for peace, security, and welfare, it is looked upon as necessary in itself and not linked up with existing international tensions.

It has long been my conviction that the strengthening of the Federal Republic, through adoption of the EDC, the contractual agreements and further progress in the integration of Western Europe, can only enhance the prospects for the peaceful unification of Germany, by increasing the attractive power of this prosperous Western Germany vis-a-vis the Soviet Zone, an attractive power which has

already been demonstrated by the steady stream of refugees in recent months, as well as the demonstrations which began on June 17. This increasing contrast between Western and Eastern Germany, the latter with its bankrupt regime and impoverished economy, will in the long run produce conditions which should make possible the liquidation of the present Communist dictatorship and of the Soviet occupation.

While a future all German Government must obviously be free to choose the degree to which it wishes to enter into defensive and other arrangements compatible with the principles of the United Nations, I can hardly imagine that it would seek the path of complete and premature disarmament in the presence of other nations still heavily armed. I believe this is a matter worthy of serious attention. Those who in Germany believe they can suggest an easy, safe solution through defenseless neutralization should carefully ponder the true wisdom and safety of such a course.

Speaking for America, and I believe the rest of the free world shares this view, I can say that there has been enough bloodshed and enough misery and enough destruction in the past 50 years to deter any people or any Government of the West from any ideas of military aggression. But the peace we all so dearly seek cannot be maintained through weakness. EDC will be the simplest, most unequivocal, and most self-evident demonstration of strength for peace.

No one can foretell what the unfolding months will bring, but it can certainly be said that the workers of Berlin's Soviet Sector and the workers of East Germany, with the workers of Czechoslovakia, have started something that will have an important place on the pages of history. May the concluding chapter of that history record the reemergence of freedom, of peace, and of happiness.

*Joint Communiqué of the Soviet Union and the German Democratic Republic, August 22, 1953.<sup>1</sup>*

From August 20 to 22 negotiations took place in Moscow between the Soviet Government and the Governmental Delegation of the German Democratic Republic.

On the Soviet side the following took part in the negotiations: The Chairman of the Council of Ministers of the U.S.S.R., G. M. Malenkov; the First Vice-Chairman of the Council of Ministers and Minister of Foreign Affairs of the U.S.S.R., V. M. Molotov; the Secretary of the Central Committee of the Communist Party of the Soviet Union, N. S. Khrushchev; the First Vice-Chairman of the Council of Ministers and Minister of Defense of the U.S.S.R., N. A. Bulganin; the First Vice-Chairman of the Council of Ministers of the U.S.S.R., L. M. Kaganovich; the Vice-Chairman of the Council of Ministers and Minister of Home and Foreign Trade of the U.S.S.R., A. I. Mikoyan; the Chairman of the State Planning Committee of the U.S.S.R., M. S. Saburov; the Minister of Finance of the U.S.S.R., A. G. Zverev; the High Commissioner of the U.S.S.R. in Germany, Ambassador V. S. Semenov.

On the side of the German Democratic Republic the following took part in the negotiations: the Minister President of the German Demo-

<sup>1</sup> Documents on German Unity, vol. IV, pp. 89-90.

cratic Republic, Otto Grotewohl; Deputy Minister President Walter Ulbricht; Deputy Minister President Otto Nuschke; Deputy Minister President and Minister of Reconstruction, Dr. Lothar Bolz; Deputy Min Pres. and Minister of Finance Dr. Hans Loch; the Minister of Agriculture and Forestry, Hans Reichelt; the Minister of Foreign and Internal German Trade, Kurt Gregor; the Minister for the Steel and Ore Mining Industries, Fritz Selbmann; the Chairman of the State Planning Commission, Bruno Leuschner, the Chief of the Diplomatic Mission of the GDR in Moscow, Ambassador Rudolf Appelt; the Chairman of the Free German Trade Union League, Herbert Warnke; the President of the National Council of the National Front of the Democratic Germany, Prof. Dr. Correns; the Chairman of the Central Council of the Free German Youth, Erich Honecker, the representative of the Democratic Women's League of Germany, Ilse Thiele, the member of the Ministry of Foreign Affairs of the GDR, Peter Florin.

In the course of the negotiations, important questions concerning the development of relations between the Soviet Union and the German Democratic Republic, as well as timely questions relating to the German problem as a whole, were discussed.

The negotiations took place in a cordial atmosphere of friendly mutual understanding.

Complete agreement existed that the anomalous situation that Germany, eight years after the end of the war in Europe, has no peace treaty, is still split into a western and eastern part, and holds no equal rights vis à vis other countries, must be done away with. In order to attain this goal, a peace conference must be convened in the near future, and the participation of German representatives must be assured at all stages of the preparation of the peace treaty as well as at the peace conference. With a view to restoring the national unity of Germany on a peaceful and democratic basis, a provisional all-German Government must be formed by means of direct agreement between Eastern and Western Germany. Its main task will be to prepare and carry out free all-German elections, as a result of which the German people themselves, without foreign interference, will solve the question of the social and political reconstruction of a united, democratic, and peace-loving Germany.

The Governmental Delegation of the German Democratic Republic has accepted with satisfaction and gratitude the statement of the Soviet Government regarding relief in respect of Germany's financial and economic obligations connected with the consequences of the war.

In the course of the negotiations, both sides reached agreement regarding the putting into practice of a series of political and economic measures aimed at rendering assistance in the further development of the national economy of the German Democratic Republic as well as in improving the material well-being of her population. It was taken into consideration that the German Democratic Republic has during the past years conscientiously fulfilled her obligations towards the Soviet Union and that, thanks to the efforts of the German democratic forces, the German Democratic Republic is an important factor in the struggle for peace in Europe.

The decision of the Soviet Government envisages:

The termination of reparations removals from the German Democratic Republic from January 1, 1954;

the transfer, without compensation, to the ownership of the GDR of the plants of the Soviet joint-stock companies in Germany;

the reduction of the obligations of the GDR to make payments in connection with the presence of the Soviet forces on the territory of the German Democratic Republic, so that the annual total does not exceed five percent of the revenue of the state budget of the GDR;

the release of the GDR from the payment of such debts in foreign currencies as have arisen as occupation costs since 1945;

the release of Germany from the payment of post-war state debts to the Soviet Union.

About the agreement reached in this connection the two parties have signed a Protocol whose text is published below.<sup>1</sup>

In the course of the negotiations, agreement was also reached on certain other questions relating to the consolidation and development of economic, cultural, and scientific technical collaboration between the Soviet Union and the German Democratic Republic.

Among other things, it was agreed that the Soviet Union will deliver to the German Democratic Republic during 1953, over and above the value of the current trade agreement, commodities to a value of approximately rubles 590 million, including foodstuffs, hard coal, rolling mill products, copper, lead, aluminum, cotton, and other goods.

The Soviet Union grants the German Democratic Republic a credit to the amount of rubles 485 million, including rubles 135 million in freely convertible currency. The credit is granted at a rate of interest of two percent per annum and is to be repaid over two years from 1955.

At the request of the Governmental Delegation of the GDR, the following was agreed:

In accordance with fixed procedures, measures will be taken in order to free the German prisoners of war from serving the remainder of the punishment to which they have been sentenced for crimes committed during the war, with the exception of those guilty of particularly grave crimes against peace and humanity.

Desirous of strengthening and developing further the friendly relations existing between the Soviet Union and the German Democratic Republic, the bulwark of the struggle of the German people for a united, peace-loving, democratic Germany, the two parties have agreed to raise the status of the Diplomatic Mission of the U.S.S.R. in Berlin and the Diplomatic Mission of the German Democratic Republic in Moscow to the rank of Embassies, and to exchange Ambassadors.

<sup>1</sup> Not printed here.

**British (Eden) Plan for German Reunification in Freedom,  
January 29, 1954<sup>1</sup>**

### METHOD OF REUNIFICATION

German reunification and the conclusion of a freely negotiated peace treaty with a united Germany should be achieved in the following stages:

- I. Free elections throughout Germany.
- II. The convocation of a National Assembly resulting from those elections.
- III. The drafting of a Constitution and the preparation of peace treaty negotiations.
- IV. The adoption of the Constitution and the formation of an all-German government responsible for the negotiation of the peace treaty.
- V. The signature and entry into force of the peace treaty.

#### I. FREE ELECTIONS THROUGHOUT GERMANY

Free and secret elections should be held throughout Germany including Berlin at the earliest possible date. These elections must be held in conditions of genuine freedom. Safeguards must be agreed to assure this freedom before, after, and during the elections. The elections must also be supervised in such a manner as to make sure that these safeguards are observed and that the elections are properly conducted.

##### (1) PREPARATION FOR THE ELECTIONS

###### (a) The Electoral Law

The electoral law should be prepared by the Four Occupying Powers, taking into consideration the electoral laws already drafted for this purpose by the Federal Bundestag<sup>2</sup> and the Soviet Zone Volkskammer.<sup>3</sup> When approved, it should be promulgated throughout Germany by the Four Powers. Elections should take place as soon as possible thereafter.

###### (b) Guarantees for free elections

The draft electoral law must contain provisions which will guarantee the genuine freedom of the elections. These include, amongst others:

- Freedom of movement throughout Germany.
- Freedom of presentation of candidates.
- Immunity of candidates.
- Freedom from arbitrary arrest or victimisation.
- Freedom of association and political meetings.
- Freedom of expression for all.
- Freedom of the press, radio, and television and free circulation of newspapers, periodicals, etc.
- Secrecy of the vote.
- Security of polling stations and ballot boxes.

<sup>1</sup> Foreign Ministers Meeting; Berlin Discussions, January 25 February 18, 1954 (Department of State publication 5398), pp. 223-225. The Eden Plan was also submitted to the Geneva Foreign Ministers Meeting by the Western powers on October 27, 1955 (*infra*).

<sup>2</sup> Draft law of February 8, 1952; *supra*.

<sup>3</sup> Draft law of January 9, 1952; *supra*.

(c) Supervision of the elections

Supervision should be carried out by a supervisory commission throughout the whole of Germany. There should be a central body with subordinate bodies at land and local levels. All votes should be counted and verified at local headquarters in the presence of the Supervisory Commission.

(i) Composition of Supervisory Commission

The Commission should be composed of representatives of the Four Powers, with or without the participation of neutrals.

(ii) Organization of the Commission

The Commission should work on a committee basis. Its decisions should be taken by majority vote.

(iii) Functions and powers of the Commission

The principal task of the Commission will be to insure that the elections take place in genuine freedom and in strict conformity with the provisions of the electoral law.

(2) METHOD FOR COMPLETING THE ABOVE PREPARATIONS

The Foreign Ministers must in the first place agree on the principles contained in this plan. They will then give instructions accordingly to a working group, consisting of the High Commissioners in Germany of the Four Powers, or their representatives, which will work out the necessary details and submit a report.

This report should include, in particular:

(1) the draft of the all German electoral law;

(2) detailed recommendations regarding the supervision of the elections.

The working group should begin work not later than 2 weeks after the conclusion of the Berlin conference. It should submit its report to the four Governments not later than 1 month after beginning its work.

## II. THE NATIONAL ASSEMBLY

The all-German elections will establish an all German national assembly. The first task of this assembly will be the preparation of a constitution.

During the period between the end of the elections and the full assumption of control by the all German government, it will be desirable for part of the supervisory machinery to remain in operation, in order to prevent action after the elections which would impair the conditions of genuine freedom under which they will have been held. Recommendations on this subject should be included in the report of the working group.

## III. DRAFTING OF THE CONSTITUTION AND ESTABLISHMENT OF A PROVISIONAL ALL-GERMAN AUTHORITY

The national assembly will begin drafting the constitution as soon as possible after its meeting. Meanwhile, it may form a provisional all-German authority charged with assisting the assembly in drafting the constitution and with preparing the nucleus of the future all-German ministries. If the assembly so decides, the authority may also

open with the Four Powers, on a preliminary basis, negotiations for the peace treaty.

#### IV. ADOPTION OF THE CONSTITUTION AND FORMATION OF AN ALL-GERMAN GOVERNMENT RESPONSIBLE FOR THE NEGOTIATIONS OF THE PEACE TREATY

The constitution will be submitted to the assembly as soon as possible after the final draft has been agreed. Immediately it has been adopted an all-German government will be formed. This government will then be responsible for the negotiations and conclusion of the peace treaty. At the same time, such other institutions as may be provided for in the constitution shall be established.

As soon as the all-German government has been formed, the national assembly will determine how the powers of the Federal Government and the German authorities in the Soviet Zone shall be transferred to the all-German government, and how the two former shall be brought to an end.

The all-German government shall have authority to assume the international rights and obligations of the Federal Republic and the Soviet Zone of Germany and to conclude such other international agreements as it may wish.

Until the entry into force of the peace treaty, each of the Four Powers will exercise, with respect to the national assembly and the all-German government, only those of its rights which relate to the stationing of armed forces in Germany and the protection of their security; Berlin; the reunification of Germany; and a peace treaty.

Decisions of the national assembly and the all-German government in carrying out this plan will not require the approval of the Four Powers. Such decisions may not be disapproved except by a majority vote of the Four Powers.

#### V. SIGNATURE AND ENTRY INTO FORCE OF THE PEACE TREATY

The signatories to the treaty should include all states, or the successors thereof, which were at war with Germany. The treaty should enter into force when ratified by the Four Powers and by Germany.

#### *Soviet Draft Peace Treaty with Germany, February 1, 1954<sup>1</sup>*

Almost 9 years have elapsed since the end of the war with Germany, and Germany still has no peace treaty; it is still divided, and continues to be in a position of inequality in relation to other states. It is necessary to put an end to such an abnormal situation.

This is consonant with the aspirations of all peace-loving peoples. Without the speedy conclusion of a peace treaty with Germany, it is impossible to insure equitable treatment of the German people's legitimate national interests.

The conclusion of a peace treaty with Germany is essential for the reinforcement of peace in Europe. A peace treaty with Germany

<sup>1</sup> Foreign Ministers Meeting: Berlin Discussions, January 25-February 18, 1954, pp. 225-227.

would permit a final solution of the problems resulting from the Second World War. The states of Europe, which suffered from Hitler's aggression, and especially Germany's neighbors, are vitally interested in a solution of these problems. The conclusion of a peace treaty with Germany would contribute to the improvement of the international situation as a whole and thus facilitate the establishment of lasting peace.

The need to expedite the conclusion of a peace treaty with Germany is dictated by the fact that the danger of the reestablishment of German militarism, which twice unleashed a world war, has not been removed owing to the fact that certain provisions of the Potsdam conference have not yet been complied with. A peace treaty with Germany should insure the elimination of the possibility of a rebirth of German militarism and of German aggression.

The conclusion of a peace treaty with Germany will create lasting conditions of peace for the German people, will further the development of Germany as a unified, independent, democratic, and peace-loving State in accordance with the terms of the Potsdam provisions and will afford the German people the possibility of peaceful cooperation with other peoples.

Accordingly, the Governments of the Soviet Union, of the U.S.A., of Great Britain, and of France have decided to start without delay on the problem of working out a peace treaty with Germany.

The Governments of the U.S.S.R., of the U.S.A., of Great Britain, and of France consider that Germany, as represented by an all German government, should participate in the preparation of a peace treaty and that a peace treaty with Germany should be based on the following principles:

## I. BASIC POINTS OF A PEACE TREATY WITH GERMANY

### *Participants*

Great Britain, the U.S.S.R., the U.S.A., France, Poland, Czechoslovakia, Belgium, Holland and those other states whose armed forces participated in the war against Germany.

## II. POLITICAL PROVISIONS

1. Germany shall be restored as a unified State. Thus, the division of Germany shall end and a unified Germany shall be given the opportunity to develop as an independent, democratic and peace-loving State.

2. All the armed forces of the Occupying Powers shall be withdrawn from Germany, not later than 1 year after the date of the coming into force of a peace treaty. All foreign military bases on the territory of Germany shall be liquidated simultaneously.

3. Democratic rights shall be guaranteed to the German people, so that all persons under German jurisdiction, without distinction as to race, sex, language or religion, may enjoy human rights and basic freedoms, including freedom of speech, press, religious creed, political convictions, and assembly.

4. The unfettered activity of democratic parties and of organizations shall be insured and they shall be accorded the right freely to

decide their internal affairs, to hold meetings and assemblies, and to have freedom of press and publications.

5. The existence of organizations hostile to democracy and to the preservation of peace shall not be permitted on German territory.

6. All former members of the German army, including officers and generals, all former Nazis, excepting those who are serving court sentences for crimes committed by them, shall be accorded the same civil and political rights as all other German citizens so that they may participate in the rebuilding of a peace-loving democratic Germany.

7. Germany shall undertake not to enter into any coalition or military alliance directed against any power whose armed forces took part in the war against Germany.

8. Germany will not be required to take over any obligations of a political or military character resulting from treaties or agreements concluded by the governments of the German Federal Republic and of the German Democratic Republic before the conclusion of a peace treaty with Germany and the restoration of Germany as a unified state.

### III. TERRITORY

The boundaries of the territory of Germany are to be those established by the decisions of the Potsdam conference of the Great Powers.

### IV. ECONOMIC PROVISIONS

1. Germany shall not be subject to any limitations on the development of its peaceful economy which shall promote the welfare of the German people.

Neither shall Germany be subject to any limitations on trade with other countries, on shipping, or on access to world markets.

2. Germany shall be fully released from the payment to the U.S.A., to Great Britain, to France, and to the U.S.S.R. of her postwar state debts with the exception of her trade indebtedness.

### V. MILITARY CLAUSES

1. Germany shall be permitted to have her own national armed forces (land, air, and naval) necessary for the defense of the country. The strength of these armed forces shall be limited in accordance with requirements of an internal nature, local defense of frontiers, and anti-aircraft defense.

2. Germany shall be permitted to produce military supplies and equipment, the number and types of which shall not exceed the needs of her armed forces, as established by the peace treaty.

### VI. GERMANY AND THE UNITED NATIONS ORGANIZATION

Those states which conclude a peace treaty with Germany shall support Germany's application for membership in the United Nations Organization.

*Soviet Proposal on Insuring European Security, February 10, 1954<sup>1</sup>*

1. The Governments of France, the United Kingdom, the U.S.A. and the U.S.S.R. undertake to continue their efforts toward a satisfactory solution of the German problem in conformity with the principles of national freedom and the maintenance of peace and also toward the recognition of the rights of all other European states seeking protection against the violation of their national interests and security by any other state.

2. Pending the conclusion of a peace treaty with Germany and the reunification of Germany on a democratic and peace-loving basis, the following measures will be implemented:

(a) Within 6 months, occupation forces shall be simultaneously withdrawn from the territory of both Eastern and Western Germany, with the exception of such limited contingents as are necessary for the performance of protective functions connected with the control responsibilities of the Four Powers: the U.S.S.R. with regard to Eastern Germany; the United States, U.K. and France with regard to Western Germany.

The size of such contingents shall be subject to agreement among the Governments of the Four Powers.

(b) In the event that a threat to security in either part of Germany should arise, the powers at present performing occupational functions in Germany shall have the right to call in their troops: the U.S.S.R. into Eastern Germany and the U.S.A., U.K., and France into Western Germany.

(c) For the maintenance of internal order and frontier defenses the German Democratic Republic and the German Federal Republic shall have police units, the strength and armament of which shall be determined by agreement between the Four Powers.

In order to insure compliance with this agreement in Eastern and Western Germany, inspection teams composed of representatives of the Four Powers shall be formed.

3. In conformity with the provisions set forth above, the implementation of which will insure that neutralization of Germany and the creation of conditions favorable to a solution of the German problem in the interest of stabilizing peace in Europe, the Four Powers shall take immediate steps to facilitate the conclusion between European States of a treaty on collective security providing adequate guarantees against aggression and violation of peace in Europe. To this end the Four Powers agree to take the initiative in calling an appropriate conference of European States.

*Soviet Proposal for a General European Treaty on Collective Security in Europe, February 10, 1954<sup>1</sup>*

For the purpose of insuring peace and security and of preventing aggression against any state in Europe,

<sup>1</sup> *Ibid.*, pp. 220-221

<sup>2</sup> *Ibid.*, pp. 221-222

for the purpose of strengthening international cooperation in conformity with the principles of respect for the independence and sovereignty of states and of noninterference in their internal affairs,

striving to prevent the formation of groupings of some European States directed against other European States, which gives rise to friction and strained relations among nations, and to achieve concerted efforts by all European States in insuring collective security in Europe,

the European States, guided by the purposes and principles of the United Nations Charter, shall conclude a general European treaty on collective security in Europe, the basic provisions of which shall be as follows:

1. All European States, irrespective of their social systems, may become party to the treaty provided they recognize the purposes and assume the obligations set forth in the treaty.

Until the formation of a united, peace loving, democratic German State, the German Democratic Republic and the German Federal Republic may be parties to the treaty enjoying equal rights with other parties thereto. It is understood that after the unification of Germany the united German State may become a party to the treaty on an equal footing with any other European State.

The conclusion of the treaty on collective security in Europe shall not affect the competence of the Four Powers—the U.S.S.R., the U.S.A., the United Kingdom, and France—to deal with the German problem which shall be settled in accordance with decisions previously taken by the Four Powers.

2. The parties to the treaty undertake to refrain from aggression against one another and also to refrain from having recourse to the threat or the use of force in their international relations and, in accordance with the United Nations Charter, to settle by peaceful means and in such a way as not to endanger international peace and security in Europe any dispute that may arise among them.

3. Whenever, in the view of any party to the treaty, there is danger of an armed attack in Europe against one or more of the parties to the treaty, the latter shall consult each other in order to take effective steps to remove the danger and to maintain security in Europe.

4. An armed attack in Europe against one or more of the parties to the treaty by any state or group of States shall be deemed to be an attack against all the parties. In the event of such an attack, each of the parties, exercising the right of individual or collective self-defense, shall assist the state or states so attacked by all the means at its disposal, including the use of armed force, for the purpose of reestablishing and maintaining international peace and security in Europe.

5. The parties to the treaty undertake jointly to discuss and determine as soon as possible the procedure under which assistance, including military assistance, shall be provided by the parties in the event of there arising in Europe a situation requiring a collective effort for the reestablishment and maintenance of peace in Europe.

6. The parties to the treaty, in conformity with the provisions of the United Nations Charter, shall immediately inform the Security Council of the United Nations of any action taken or envisaged for the purpose of exercising the right of self-defense or of maintaining peace and security in Europe.

7. The parties to the treaty undertake not to participate in any coalition or alliance nor to conclude agreements the objectives of which are contrary to the purposes of the treaty on collective security in Europe.

8. In order to implement the provisions of the treaty concerning consultation among its parties and to consider questions arising in connection with the task of insuring security in Europe, the following shall be provided for :

(a) regular or, when required, special conferences at which each state shall be represented by a member of its government or by some other specially designated representative;

(b) the setting up of a permanent consultative political committee the duty of which shall be the preparation of appropriate recommendations to the governments of the states which are parties to the treaty.

(c) the setting up of a military consultative organ the terms of reference of which shall be determined in due course.

9. Recognizing the special responsibility of the permanent members of the United Nations Security Council for the maintenance of international peace and security, the parties to the treaty shall invite the Governments of the U.S.A. and the Chinese People's Republic to designate representatives to the organs set up in accordance with the treaty in the capacity of observers.

10. The present treaty shall not impair in any way the obligations of European States under international treaties and agreements to which they are party, provided the principles and purposes of such agreements are in conformity with those of the present treaty.

11. The duration of the treaty shall be 50 years.

*Statement by the Western Foreign Ministers, on the Berlin Conference, February 19, 1954<sup>1</sup>*

[Extracts]

The major problem facing the Berlin Conference was that of Germany. The three Western delegations urged that the reunification of Germany should be achieved through free elections, leading to the creation of an all-German Government with which a peace treaty could be concluded. They put forward a practical plan to this end. Their proposals were not accepted by the Soviet delegation, even as a basis for discussion, and they were forced to the conclusion that the Soviet Government is not now ready to permit free, all-German elections or to abandon its control over Eastern Germany.

The three Western Governments will continue their efforts to achieve German reunification in freedom and by peaceful means. In the meantime, they have suggested certain measures which could reduce the effect of the present division of Germany and its consequences for Berlin. They have proposed that the three High Commissioners should study these questions with the Soviet High Commissioner. As regards Berlin, the three Governments reaffirm their abiding interest in the security of the city as expressed in the Tripartite declaration of

<sup>1</sup> *Ibid.*, pp. 218-219.

May 27, 1952. They will do all in their power to improve conditions in Berlin and to promote the economic welfare of the city.

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The three Governments remain ready to take advantage of any further opportunity which may arise to promote, by renewal of the contacts established at Berlin or by other means, a solution of the German and Austrian problems.

The three Ministers explained and reaffirmed the purely defensive character of Western security arrangements.

Offers were made to discuss how the undertakings which already protect the Soviet Union against aggression could be reinforced. The Soviet delegation made no response to these offers. Their own proposals would have involved the dissolution of the Western security system, while the military power of the Soviet bloc in Europe remained intact. The three Powers do not intend to be deflected from their efforts to develop the system of defense on which their survival depends.

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***Joint Declaration by the Allied High Commission, on the Status of East Germany, April 8, 1954<sup>1</sup>***

The Allied High Commission desires to clarify the attitude of the governments which it represents toward the statement issued on March 25 by the Soviet Government, purporting to describe a change in its relations with the Government of the so-called German Democratic Republic. This statement appears to have been intended to create the impression that sovereignty has been granted to the German Democratic Republic. It does not alter the actual situation in the Soviet Zone. The Soviet Government still retains effective control there.

The three governments represented in the Allied High Commission will continue to regard the Soviet Union as the responsible power for the Soviet Zone of Germany. These governments do not recognize the sovereignty of the East German regime which is not based on free elections, and do not intend to deal with it as a government. They believe that this attitude will be shared by other states, who, like themselves, will continue to recognize the Government of the Federal Republic as the only freely elected and legally constituted government in Germany. The Allied High Commission also takes this occasion to express the resolve of its governments that the Soviet action shall not deter them from their determination to work for the reunification of Germany as a free and sovereign nation.

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***Declaration by the Western Foreign Ministers, on Berlin, October 22, 1954<sup>2</sup>***

**THREE-POWER DECLARATION ON BERLIN**

With respect to Berlin, in addition to the Allies' security guarantees for the city in the London communique of October 3, 1954, the Foreign

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<sup>1</sup> Department of State Bulletin, April 10, 1954, p. 535.  
<sup>2</sup> Senate Executive L and M, 2d Session, p. 171.

Ministers of France, the United Kingdom and the United States have noted with deep satisfaction the close and friendly cooperation between the Allied and Berlin authorities. The Three Powers are determined to ensure the greatest possible degree of self-government in Berlin compatible with Berlin's special situation. Accordingly, the three Governments have instructed their representatives in Berlin to consult with the authorities of that city with a view to implementing jointly and to the fullest degree possible the foregoing principles.

*Paris Protocols Amending the Brussels Treaty and Establishing the Western European Union, October 23, 1954<sup>1</sup>*

**PROTOCOL MODIFYING AND COMPLETING THE  
BRUSSELS TREATY**

*Paris, October 23, 1954*

His Majesty, The King of the Belgians, the President of the French Republic, President of the French Union, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty The Queen of the Netherlands and Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Parties to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March the 17th, 1948, hereinafter referred to as the Treaty, on the one hand,

and the President of the Federal Republic of Germany and the President of the Italian Republic on the other hand,

Inspired by a common will to strengthen peace and security;

Desirous to this end of promoting the unity and of encouraging the progressive integration of Europe;

Convinced that the accession of the Federal Republic of Germany and the Italian Republic to the Treaty will represent a new and substantial advance towards these aims;

Having taken into consideration the decisions of the London Conferences as set out in the Final Act of October the 3rd, 1954, and its Annexes;

Have appointed as their Plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

<sup>1</sup> *Ibid.*, pp. 63-80. The protocols entered into force May 6, 1955. For the text of the Brussels Treaty of March 17, 1948 among Great Britain, Belgium, France, Luxembourg, and the Netherlands, see *ibid.*, pp. 82-86.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg

His Excellency M. Joseph Bech, Prime Minister, Minister of Foreign Affairs.

Her Majesty the Queen of the Netherlands

His Excellency M. John Willem Beyen, Minister of Foreign Affairs.

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth

For the United Kingdom of Great Britain and Northern Ireland

The Right Honourable Sir Anthony Eden, K.G., M.C., Member of Parliament, Principal Secretary of State for Foreign Affairs.

Who, having exhibited their full powers found in good and due form, Have agreed as follows:—

#### ARTICLE I

The Federal Republic of Germany and the Italian Republic hereby accede to the Treaty as modified and completed by the present Protocol.

The High Contracting Parties to the present Protocol consider the Protocol on Forces of Western European Union (hereinafter referred to as Protocol No. II), the Protocol on the Control of Armaments and its Annexes (hereinafter referred to as Protocol No. III), and the Protocol on the Agency of Western European Union for the Control of Armaments (hereinafter referred to as Protocol No. IV) to be an integral part of the present Protocol.

#### ARTICLE II

The sub-paragraph of the Preamble to the Treaty: "to take such steps as may be held necessary in the event of renewal by Germany of a policy of aggression" shall be modified to read: "to promote the unity and to encourage the progressive integration of Europe."

The opening words of the 2nd paragraph of Article I shall read: "The co-operation provided for in the preceding paragraph, which will be effected through the Council referred to in Article VIII \* \* \*."

#### ARTICLE III

The following new Article shall be inserted in the Treaty as Article IV:

"In the execution of the Treaty the High Contracting Parties and any organs established by Them under the Treaty shall work in close co-operation with the North Atlantic Treaty Organisation.

"Recognising the undesirability of duplicating the Military Staffs of NATO, the Council and its agency will rely on the appropriate Military Authorities of NATO for information and advice on military matters."

Articles IV, V, VI and VII of the Treaty will become respectively Articles V, VI, VII and VIII.

#### ARTICLE IV

Article VIII of the Treaty (formerly Article VII) shall be modified to read as follows:

"1. For the purposes of strengthening peace and security and of promoting unity and of encouraging the progressive integration of Europe and closer co-operation between Them and with other European organisations, the High Contracting Parties to the Brussels Treaty shall create a Council to consider matters concerning the execution of this Treaty and of its Protocols and their Annexes.

"2. This Council shall be known as the 'Council of Western European Union'; it shall be so organised as to be able to exercise its functions continuously; it shall set up such subsidiary bodies as may be considered necessary: in particular it shall establish immediately an Agency for the Control of Armaments whose functions are defined in Protocol No. IV.

"3. At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit Them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability.

"4. The Council shall decide by unanimous vote questions for which no other voting procedure has been or may be agreed. In the cases provided for in Protocols II, III and IV it will follow the various voting procedures, unanimity, two-thirds majority, simple majority, laid down therein. It will decide by simple majority questions submitted to it by the Agency for the Control of Armaments."

#### ARTICLE V

A new Article shall be inserted in the Treaty as Article IX: "The Council of Western European Union shall make an Annual Report on its activities and in particular concerning the control of armaments to an Assembly composed of representatives of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe."

The Articles VIII, IX and X of the Treaty shall become respectively Articles X, XI and XII.

#### ARTICLE VI

The present Protocol and the other Protocols listed in Article I above shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government.

They shall enter into force when all instruments of ratification of the present Protocol have been deposited with the Belgian Government and the instrument of accession of the Federal Republic of Germany to the North Atlantic Treaty has been deposited with the Government of the United States of America.

The Belgian Government shall inform the Governments of the other High Contracting Parties and the Government of the United States of America of the deposit of each instrument of ratification.

IN WITNESS WHEREOF the above-mentioned Plenipotentiaries have signed the present Protocol and have affixed thereto their seals.

Done at Paris this 23d day of October 1954, in two texts, in the English and French languages, each text being equally authoritative in a single copy which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L.S.] P.-H. SPAAK.

For France:

[L.S.] MENDÈS-FRANCE.

For the Federal Republic of Germany:

[L.S.] ADENAUER.

For Italy:

[L.S.] G. MARTINO.

For Luxembourg:

[L.S.] JOS. BECH.

For the Netherlands:

[L.S.] J. W. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L.S.] ANTHONY EDEN.

## PROTOCOL NO. II ON FORCES OF WESTERN EUROPEAN UNION

*Paris, October 23, 1954*

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, and Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty,

Having consulted the North Atlantic Council,

Have appointed as their Plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union.

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany.

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg

His Excellency M. Joseph Bech, Prime Minister, Minister of Foreign Affairs.

Her Majesty the Queen of the Netherlands

His Excellency M. Johan Willem Beyen, Minister of Foreign Affairs.

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth,

For the United Kingdom of Great Britain and Northern Ireland

The Right Honourable Sir Anthony Eden, K. G., M.C., Member of Parliament, Principal Secretary of State for Foreign Affairs.

Have agreed as follows:

#### ARTICLE 1

1. The land and air forces which each of the High Contracting Parties to the present Protocol shall place under the Supreme Allied Commander, Europe, in peace-time on the mainland of Europe shall not exceed in total strength and number of formations:

(a) for Belgium, France, the Federal Republic of Germany, Italy and the Netherlands, the maxima laid down for peace-time in the Special Agreement annexed to the Treaty on the Establishment of a European Defence Community signed at Paris, on May 27, 1952; and

(b) for the United Kingdom, four divisions and the Second Tactical Air Force;

(c) for Luxembourg, one regimental combat team.

2. The number of formations mentioned in paragraph 1 may be brought up to date and adapted as necessary to make them suitable for the North Atlantic Treaty Organisation, provided that the equivalent fighting capacity and total strengths are not exceeded.

3. The statement of these maxima does not commit any of the High Contracting Parties to build up or maintain forces at these levels, but maintains their right to do so if required.

#### ARTICLE 2

As regards naval forces, the contribution to N.A.T.O. Commands of each of the High Contracting Parties to the present Protocol shall be determined each year in the course of the Annual Review (which takes into account the recommendations of the N.A.T.O. military authorities). The naval forces of the Federal Republic of Germany shall consist of the vessels and formations necessary for the defensive missions assigned to it by the North Atlantic Treaty Organisation within the limits laid down in the Special Agreement mentioned in Article I, or equivalent fighting capacity.

**ARTICLE 3**

If at any time during the Annual Review recommendations are put forward, the effect of which would be to increase the level of forces above the limits specified in Articles 1 and 2, the acceptance by the country concerned of such recommended increases shall be subject to the unanimous approval of the High Contracting Parties to the present Protocol expressed either in the Council of Western European Union or in the North Atlantic Treaty Organisation.

**ARTICLE 4**

In order that it may establish that the limits specified in Articles 1 and 2 are being observed, the Council of Western European Union will regularly receive information acquired as a result of inspections carried out by the Supreme Allied Commander, Europe. Such information will be transmitted by a high ranking officer designated for the purpose by the Supreme Allied Commander, Europe.

**ARTICLE 5**

The strength and armaments of the internal defence and police forces on the mainland of Europe of the High Contracting Parties to the present Protocol shall be fixed by agreements within the Organisation of Western European Union, having regard to their proper functions and needs and to their existing levels.

**ARTICLE 6**

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland will continue to maintain on the mainland of Europe, including Germany, the effective strength of the United Kingdom forces which are now assigned to the Supreme Allied Commander, Europe, that is to say, four divisions and the Second Tactical Air Force, or such other forces as the Supreme Allied Commander, Europe, regards as having equivalent fighting capacity. Her Majesty undertakes not to withdraw these forces against the wishes of the majority of the High Contracting Parties who should take their decision in the knowledge of the views of the Supreme Allied Commander, Europe. This undertaking shall not, however, bind Her Majesty in the event of an acute overseas emergency. If the maintenance of the United Kingdom forces on the mainland of Europe throws at any time too great a strain on the external finances of the United Kingdom, Her Majesty will, through Her Government in the United Kingdom of Great Britain and Northern Ireland, invite the North Atlantic Council to review the financial conditions on which the United Kingdom formations are maintained.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article 1 of the Protocol Modifying and Completing the Treaty, and have affixed thereto their seals.

Done at Paris this 23rd day of October, 1954, in two texts in the English and French languages, each text being equally authoritative,

in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L.S.] P.-H. SPAAK.

For France:

[L.S.] MENDES-FRANCE.

For the Federal Republic of Germany:

[L.S.] ADENAUER.

For Italy:

[L.S.] G. MARTINO.

For Luxembourg:

[L.S.] Jos. BECH.

For the Netherlands:

[L.S.] J. W. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L.S.] ANTHONY EDEN.

### PROTOCOL NO. III ON THE CONTROL OF ARMAMENTS

His Majesty, the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty.

Have appointed as their plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg

His Excellency M. Joseph Bech, Prime Minister, Minister of Foreign Affairs.

Her Majesty the Queen of the Netherlands

His Excellency M. Johan Willem Beyen, Minister of Foreign Affairs.

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her Other Realms and Territories, Head of the Commonwealth,

For the United Kingdom of Great Britain and Northern Ireland

The Right Honourable Sir Anthony Eden, K.G., M.C.,  
Member of Parliament, Principal Secretary of State  
for Foreign Affairs.

Have agreed as follows:—

#### PART I.—ARMAMENTS NOT TO BE MANUFACTURED

##### ARTICLE 1

The High Contracting Parties, members of Western European Union, take note of and record their agreement with the Declaration of the Chancellor of the Federal Republic of Germany (made in London on October 3, 1954, and annexed hereto as Annex I) in which the Federal Republic of Germany undertook not to manufacture in its territory atomic, biological and chemical weapons. The types of armaments referred to in this Article are defined in Annex II. These armaments shall be more closely defined and the definitions brought up to date by the Council of Western European Union.

##### ARTICLE 2

The High Contracting Parties, members of Western European Union, also take note of and record their agreement with the undertaking given by the Chancellor of the Federal Republic of Germany in the same Declaration that certain further types of armaments will not be manufactured in the territory of the Federal Republic of Germany, except that if in accordance with the needs of the armed forces a recommendation for an amendment to, or cancellation of, the content of the list of these armaments is made by the competent Supreme Commander of the North Atlantic Treaty Organisation, and if the Government of the Federal Republic of Germany submit a request accordingly, such an amendment or cancellation may be made by a resolution of the Council of Western European Union passed by a two-thirds majority. The types of armaments referred to in this Article are listed in Annex III.

#### PART II.—ARMAMENTS TO BE CONTROLLED

##### ARTICLE 3

When the development of atomic, biological and chemical weapons in the territory on the mainland of Europe of the High Contracting Parties who have not given up the right to produce them has passed the experimental stage and effective production of them has started there, the level of stocks that the High Contracting Parties concerned will be allowed to hold on the mainland of Europe shall be decided by a majority vote of the Council of Western European Union.

##### ARTICLE 4

Without prejudice to the foregoing Articles, the type of armaments listed in Annex IV will be controlled to the extent and in the manner laid down in Protocol No. IV.

## ARTICLE 6

The Council of Western European Union may vary the list in Annex IV by unanimous decision.

IN WITNESS WHEREOR, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article I of the Protocol Modifying and Completing the Treaty and have affixed thereto their seals.

Done at Paris on the 23d date of October 1954, in two texts, in the English and French languages, each text being equally authoritative, in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L.S.] P.-H. SPAAK.

For France:

[L.S.] MENDES-FRANCE.

For the Federal Republic of Germany:

[L.S.] ADENAUER.

For Italy:

[L.S.] G. MARTINO.

For Luxembourg:

[L.S.] Jos BECH.

For the Netherlands:

[L.S.] J. W. BETEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L.S.] ANTHONY EDEN.

## ANNEX I

The Federal Chancellor declares:

that the Federal Republic undertakes not to manufacture in its territory any atomic weapons, chemical weapons or biological weapons, as detailed in paragraphs I, II, and III of the attached list;<sup>1</sup>

that it undertakes further not to manufacture in its territory such weapons as those detailed in paragraphs IV, V, and VI of the attached list.<sup>2</sup> Any amendment to or cancellation of the substance of paragraphs IV, V, and VI can, on the request of the Federal Republic, be carried out by a resolution of the Brussels Council of Ministers by a two-thirds majority, if in accordance with the needs of the armed forces a request is made by the competent Supreme Commander of the North Atlantic Treaty Organisation;

that the Federal Republic agrees to supervision by the competent authority of the Brussels Treaty Organization to ensure that these undertakings are observed.

## ANNEX II

This list comprises the weapons defined in paragraphs I to III and the factories earmarked solely for their production. All apparatus,

<sup>1</sup> Reproduced in Annex II.

<sup>2</sup> Reproduced in Annex III.

parts, equipment, installations, substances and organisms, which are used for civilian purposes or for scientific, medical and industrial research in the fields of pure and applied science shall be excluded from this definition.

#### I.—Atomic Weapons

(a) An atomic weapon is defined as any weapon which contains, or is designed to contain or utilise, nuclear fuel or radioactive isotopes and which, by explosion or other uncontrolled nuclear transformation of the nuclear fuel, or by radioactivity of the nuclear fuel or radioactive isotopes, is capable of mass destruction, mass injury or mass poisoning.

(b) Furthermore, any part, device, assembly or material especially designed for, or primarily useful in, any weapon as set forth under paragraph (a), shall be deemed to be an atomic weapon.

(c) Nuclear fuel as used in the preceding definition includes plutonium, Uranium 233, Uranium 235 (including Uranium 235 contained in Uranium enriched to over 2.1 per cent. by weight of Uranium 235) and any other material capable of releasing substantial quantities of atomic energy through nuclear fission or fusion or other nuclear reaction of the material. The foregoing materials shall be considered to be nuclear fuel regardless of the chemical or physical form in which they exist.

#### II.—Chemical Weapons

(a) A chemical weapon is defined as any equipment or apparatus expressly designated to use, for military purposes, the asphyxiating, toxic, irritant, paralysant, growth regulating, anti-lubricating or catalysing properties of any chemical substance.

(b) Subject to the provisions of paragraph (c), chemical substances, having such properties and capable of being used in the equipment or apparatus referred to in paragraph (a), shall be deemed to be included in this definition.

(c) Such apparatus and such quantities of the chemical substances as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from this definition.

#### III.—Biological Weapons

(a) A biological weapon is defined as any equipment or apparatus expressly designed to use, for military purposes, harmful insects or other living or dead organisms, or their toxic products.

(b) Subject to the provisions of paragraph (c), insects, organisms and their toxic products of such nature and in such amounts as to make them capable of being used in the equipment or apparatus referred to in (a) shall be deemed to be included in this definition.

(c) Such equipment or apparatus and such quantities of the insects, organisms and their toxic products as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from the definition of biological weapons.

#### ANNEX III

This list comprises the weapons defined in paragraphs IV and VI and the factories earmarked solely for their production. All ap-

paratus, parts, equipment, installations, substances and organisms, which are used for civilian purposes or for scientific, medical and industrial research in the fields of pure and applied science shall be excluded from this definition.

#### IV. Long-range Missiles, Guided Missiles and Influence Mines

(a) Subject to the provisions of paragraph (d), long-range missiles and guided missiles are defined as missiles such that the speed or direction of motion can be influenced after the instant of launching by a device or mechanism inside or outside the missile, including V-type weapons developed in the recent war and subsequent modifications thereof. Combustion is considered as a mechanism which may influence the speed.

(b) Subject to the provisions of paragraph (d), influence mines are defined as naval mines which can be exploded automatically by influences which emanate solely from external sources, including influence mines developed in the recent war and subsequent modifications thereof.

(c) Parts, devices, or assemblies specially designed for use in or with the weapons referred to in paragraphs (a) and (b) shall be deemed to be included in this definition.

(d) Proximity fuses, and short-range guided missiles for anti-aircraft defence with the following maximum characteristics are regarded as excluded from this definition:—

Length, 2 metres;

Diameter, 30 centimetres;

Speed, 660 metres per second;

Ground range, 32 kilometres;

Weight of war-head, 22.5 kilogrammes.

#### V.—Warships, with the exception of smaller ships for defence purposes

"Warships, with the exception of smaller ships for defence purposes, are:—

(a) Warships of more than 3,000 tons displacement;

(b) Submarines of more than 350 tons displacement;

(c) All warships which are driven by means other than steam, Diesel or petrol engines or by gas turbines or by jet engines."

#### VI.—Bomber aircraft for strategic purposes

### ANNEX IV

#### LIST OF TYPES OF ARMAMENTS TO BE CONTROLLED

- 1.—(a) Atomic,  
(b) biological, and  
(c) chemical weapons.

In accordance with definitions to be approved by the Council of Western European Union as indicated in Article I of the present Protocol.

2. All guns, howitzers and mortars of any types and of any rôles of more than 90-mm. calibre, including the following component for these weapons, viz, the elevating mass.

3. All guided missiles.

*Definition.*—Guided missiles are such that the speed or direction or motion can be influenced after the instant of launching by a device or mechanism inside or outside the missile; these include V-type weapons developed in the recent war and modifications thereto. Combustion is considered as a mechanism which may influence the speed.

4. Other self-propelled missiles of a weight exceeding 15 kilogramme in working order.

5. Mines of all types except anti-tank and anti-personnel mines.

6. Tanks, including the following component parts for these tanks, *viz.*—

- (a) the elevating mass;
- (b) turret castings and/or plate assembly.

7. Other armoured fighting vehicles of an overall weight of more than 10 metric tons.

8.—(a) Warships over 1,500 tons displacement;

- (b) submarines,

(c) all warships powered by means other than steam, Diesel or petrol engines or gas turbines;

(d) small craft capable of a speed of over 30 knots, equipped with offensive armament.

9. Aircraft bombs of more than 1,000 kilogrammes.

10. Ammunition for the weapons described in paragraph 2 above.

11.—(a) Complete military aircraft other than—

(i) all training aircraft except operational types used for training purposes;

(ii) military transport and communication aircraft;

(iii) helicopters,

(b) air frames, specifically and exclusively designed for military aircraft except those at (i), (ii) and (iii) above;

(c) jet engines, turbo-propeller engines and rocket motors, when these are the principal motive power.

#### PROTOCOL NO. IV ON THE AGENCY OF WESTERN EUROPEAN UNION FOR THE CONTROL OF ARMAMENTS

*Paris, October 23, 1954*

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, the President of the Federal Republic of Germany, the President of the Italian Republic, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands, Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, Signatories of the Protocol Modifying and Completing the Brussels Treaty,

Having agreed in accordance with Article IV of the Protocol Modifying and Completing the Treaty, to establish an Agency for the Control of Armaments,

Have appointed as their plenipotentiaries:—

His Majesty the King of the Belgians

His Excellency M. Paul-Henri Spaak, Minister of Foreign Affairs.

The President of the French Republic, President of the French Union

His Excellency M. Pierre Mendès-France, Prime Minister, Minister of Foreign Affairs.

The President of the Federal Republic of Germany

His Excellency Dr. Konrad Adenauer, Federal Chancellor, Federal Minister of Foreign Affairs.

The President of the Italian Republic

His Excellency M. Gaetano Martino, Minister of Foreign Affairs.

Her Royal Highness the Grand Duchess of Luxembourg

His Excellency M. Joseph Bech, Prime Minister, Minister of Foreign Affairs.

Her Majesty the Queen of the Netherlands

His Excellency M. Johan Willem Beyen, Minister of Foreign Affairs.

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth,

For the United Kingdom of Great Britain and Northern Ireland

The Right Honourable Sir Anthony Eden, K. G., M. C., Member of Parliament, Principal Secretary of State for Foreign Affairs.

Have agreed as follows:—

## PART I—CONSTITUTION

### ARTICLE 1

The Agency for the Control of Armaments (hereinafter referred to as "the Agency") shall be responsible to the Council of Western European Union (hereinafter referred to as "the Council"). It shall consist of a Director assisted by a Deputy Director, and supported by a staff drawn equitably from nationals of the High Contracting Parties, Members of Western European Union.

### ARTICLE 2

The Director and his staff, including any officials who may be put at the disposal of the Agency by States Members, shall be subject to the general administrative control of the Secretary General of Western European Union.

### ARTICLE 3

The Director shall be appointed by unanimous decision of the Council for a period of five years and shall not be eligible for re-appointment. He shall be responsible for the selection of his staff in accordance with the principle mentioned in Article 1 and in consultation with the individual States Members concerned. Before

filling the posts of Deputy Director and of the Heads of Departments of the Agency, the Director shall obtain from the Council approval of the persons to be appointed.

#### ARTICLE 4

1. The Director shall submit to the Council, through the Secretary-General, a plan for the organisation of the Agency. The organisation should provide for departments dealing respectively with—

- (a) the examination of statistical and budgetary information to be obtained from the members of Western European Union and from the appropriate N.A.T.O. authorities;
- (b) inspections, test checks and visits;
- (c) administration.

2. The organisation may be modified by decision of the Council.

#### ARTICLE 5

The costs of maintaining the Agency shall appear in the budget of Western European Union. The Director shall submit, through the Secretary-General, to the Council an annual estimate of these costs.

#### ARTICLE 6

Officials of the Agency shall be bound by the full N.A.T.O. code of security. They shall in no circumstances reveal information obtained in connexion with the execution of their official tasks except and only in the performance of their duties towards the Agency.

### PART II.—FUNCTIONS

#### ARTICLE 7

1. The tasks of the Agency shall be—

- (a) to satisfy itself that the undertakings set out in Protocol No. III not to manufacture certain types of armaments mentioned in Annexes II and III to that Protocol are being observed;
- (b) to control, in accordance with Part III of the present Protocol, the level of stocks of armaments of the types mentioned in Annex IV to Protocol No. III held by each member of Western European Union on the mainland of Europe. This control shall extend to production and imports to the extent required to make the control of stocks effective.

2. For the purposes mentioned in paragraph 1 of this Article, the Agency shall—

- (a) scrutinise statistical and budgetary information supplied by members of Western European Union and by the N.A.T.O. authorities;
- (b) undertake on the mainland of Europe test checks, visits and inspections at production plants, depots and forces (other than depots or forces under N.A.T.O. authority);
- (c) report to the Council.

## ARTICLE 8

With respect to forces and depots under N.A.T.O. authority, test checks, visits and inspections shall be undertaken by the appropriate authorities of the North Atlantic Treaty Organisation. In the case of the forces and depots under the Supreme Allied Commander, Europe, the Agency shall receive notification of the information supplied to the Council through the medium of the high ranking officer to be designated by him.

## ARTICLE 9

The operations of the Agency shall be confined to the mainland of Europe.

## ARTICLE 10

The Agency shall direct its attention to the production of end-items and components listed in Annexes II, III and IV of Protocol No. III, and not to processes. It shall ensure that materials and products destined for civilian use are excluded from its operations.

## ARTICLE 11

Inspections by the Agency shall not be of a routine character, but shall be in the nature of tests carried out at regular intervals. Such inspections shall be conducted in a spirit of harmony and co-operation. The Director shall propose to the Council detailed regulations for the conduct of the inspections providing, *inter alia*, for due process of law in respect of private interests.

## ARTICLE 12

For their test checks, visits and inspections the members of the Agency shall be accorded free access on demand to plants and depots, and the relevant accounts and documents shall be made available to them. The Agency and national authorities shall co-operate in such checks and inspections, and in particular national authorities may, at their own request, take part in them.

## PART III.—LEVELS OF STOCKS OF ARMAMENTS

## ARTICLE 13

1. Each member of Western European Union shall, in respect of its forces under N.A.T.O. authority stationed on the mainland of Europe, furnish annually to the Agency statements of:—

- (a) the total quantities of armaments of the types mentioned in Annex IV to Protocol No. III required in relation to its forces;
- (b) the quantities of such armaments currently held at the beginning of the control years;
- (c) the programmes for attaining the total quantities mentioned in (a) by—
  - (i) manufacture in its own territory;
  - (ii) purchase from another country;
  - (iii) end-item aid from another country.

2. Such statements shall also be furnished by each member of Western European Union in respect of its internal defence and police forces and its other forces under national control stationed on the mainland of Europe including a statement of stocks held there for its forces stationed overseas.

3. The statements shall be correlated with the relevant submissions to the North Atlantic Treaty Organization.

#### ARTICLE 14

As regards the forces under N.A.T.O. authority, the Agency shall verify in consultation with the appropriate N.A.T.O. authorities that the total quantities stated under Article 13 are consistent with the quantities recognised as required by the units of the members concerned under N.A.T.O. authority, and with the conclusions and data recorded in the documents approved by the North Atlantic Council in connexion with the N.A.T.O. Annual Review.

#### ARTICLE 15

As regards internal defence and police forces, the total quantities of their armaments to be accepted as appropriate by the Agency shall be those notified by the members, provided that they remain within the limits laid down in the further agreements to be concluded by the members of Western European Union on the strength and armaments of the internal defence and police forces on the mainland of Europe.

#### ARTICLE 16

As regards other forces remaining under national control, the total quantities of their armaments to be accepted as appropriate by the Agency shall be those notified to the Agency by the members.

#### ARTICLE 17

The figures furnished by members for the total quantities of armaments under Articles 15 and 16 shall correspond to the size and mission of the forces concerned.

#### ARTICLE 18

The provisions of Articles 14 and 17 shall not apply to the High Contracting Parties and to the categories of weapons covered in Article 3 of Protocol No. III. Stocks of the weapons in question shall be determined in conformity with the procedure laid down in that Article and shall be notified to the Agency by the Council of the Western European Union.

#### ARTICLE 19

The figures obtained by the Agency under Articles 14, 15, 16 and 18 shall be reported to the Council as appropriate levels for the current control year for the members of Western European Union. Any discrepancies between the figures stated under Article 18, paragraph 1, and the quantities recognised under Article 14 will also be reported.

## ARTICLE 20

1. The Agency shall immediately report to the Council if inspection, or information from other sources, reveals:—

(a) the manufacture of armaments of a type which the member concerned has undertaken not to manufacture;

(b) the existence of stocks of armaments in excess of the figures and quantities ascertained in accordance with Articles 19 and 22.

2. If the Council is satisfied that the infraction reported by the Agency is not of major importance and can be remedied by prompt local action, it will so inform the Agency and the member concerned, who will take the necessary steps.

3. In the case of other infractions, the Council will invite the member concerned to provide the necessary explanation within a period to be determined by the Council; if this explanation is considered unsatisfactory, the Council will take the measures which it deems necessary in accordance with a procedure to be determined.

4. Decisions of the Council under this Article will be taken by majority vote.

## ARTICLE 21

Each member shall notify to the Agency the names and locations of the depots on the mainland of Europe containing armaments subject to control and of the plants on the mainland of Europe manufacturing such armaments, or, even though not in operation, specifically intended for the manufacture of such armaments.

## ARTICLE 22

Each member of Western European Union shall keep the Agency informed of the quantities of armaments of the types mentioned in Annex IV to Protocol No. III, which are to be exported from its territory on the mainland of Europe. The Agency shall be entitled to satisfy itself that the armaments concerned are in fact exported. If the level of stocks of any item subject to control appears abnormal, the Agency shall further be entitled to enquire into the orders for export.

## ARTICLE 23

The Council shall transmit to the Agency information received from the Governments of the United States of America and Canada respecting military aid to be furnished to the forces on the mainland of Europe of members of Western European Union.

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Protocol, being one of the Protocols listed in Article I of the Protocol Modifying and Completing the Treaty, and have affixed thereto their seals.

Done at Paris this 23rd day of October, 1954, in two texts, in the English and French languages, each text being equally authoritative, in a single copy, which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other Signatories.

For Belgium:

[L.S.] P. H. SPAAK.

For France:

[L.S.] MENDÈS-FRANCE.

For the Federal Republic of Germany:

[L.S.] ADENAUER.

For Italy:

[L.S.] G. MARTINO.

For Luxembourg:

[L.S.] Jos. BECH.

For the Netherlands:

[L.S.] J. W. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

[L.S.] ANTHONY EDEN.

*Western Agreement on the Exercise of Retained Rights in Germany, October 23, 1954<sup>1</sup>*

TRIPARTITE AGREEMENT ON THE EXERCISE OF  
RETAINED RIGHTS IN GERMANY

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic agree as follows:

1. The rights retained by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic after the entry into force of the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, which are referred to in the Convention of Relations between the Three Powers and the Federal Republic on Germany as amended by the said Protocol, will be exercised by their respective Chiefs of Mission accredited to the Federal Republic of Germany.

2. The Chiefs of Mission will act jointly in the exercise of those rights in the Federal Republic of Germany in matters the Three Powers consider of common concern under the said Protocol and the instruments mentioned in Article 1 thereof.

3. Those rights which relate to Berlin will continue to be exercised in Berlin pursuant to existing procedures, subject to any future modification which may be agreed.

4. This agreement shall enter into force upon the entry into force of the said Protocol.

Done at Paris on the twenty third day of October, Nineteen hundred and fifty-four in two texts, in the English and French languages, both texts being equally authentic.

For the Government of the United States of America:

/s/ JOHN FOSTER DULLES

For the Government of the United Kingdom of Great Britain and Northern Ireland:

/s/ ANTHONY EDEN

For the Government of the French Republic:

/s/ P. MENDÈS-FRANCE

<sup>1</sup> Ibid., p. 91.

*Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany, October 23, 1954<sup>1</sup>*

The Parties to the North Atlantic Treaty signed at Washington on 4th April, 1949,

Being satisfied that the security of the North Atlantic area will be enhanced by the accession of the Federal Republic of Germany to that Treaty, and

Having noted that the Federal Republic of Germany has by a declaration dated 3rd October, 1954, accepted the obligations set forth in Article 2 of the Charter of the United Nations and has undertaken upon its accession to the North Atlantic Treaty to refrain from any action inconsistent with the strictly defensive character of that Treaty, and

Having further noted that all member governments have associated themselves with the declaration also made on 3rd October, 1954, by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic in connection with the aforesaid declaration of the Federal Republic of Germany,

Agree as follows:

**ARTICLE I**

Upon the entry into force of the present Protocol, the Government of the United States of America shall on behalf of all the Parties communicate to the Government of the Federal Republic of Germany an invitation to accede to the North Atlantic Treaty. Thereafter the Federal Republic of Germany shall become a Party to that Treaty on the date when it deposits its instruments of accession with the Government of the United States of America in accordance with Article 10 of that Treaty.

**ARTICLE II**

The present Protocol shall enter into force, when (a) each of the Parties to the North Atlantic Treaty has notified to the Government of the United States of America its acceptance thereof, (b) all instruments of ratification of the Protocol Modifying and Completing the Brussels Treaty have been deposited with the Belgian Government, and (c) all instruments of ratification or approval of the Convention on the Presence of Foreign Forces in the Federal Republic of Germany have been deposited with the Government of the Federal Republic of Germany. The Government of the United States of America shall inform the other Parties to the North Atlantic Treaty of the date of the receipt of each notification of acceptance of the present Protocol and of the date of the entry into force of the present Protocol.

<sup>1</sup> *Ibid.*, pp. 37-38. The protocol entered into force May 5, 1955. For the text of the North Atlantic Treaty (April 4, 1949), see *American Foreign Policy, 1950-1955*, vol. I, pp. 812-815. The protocol on the accession of Greece and Turkey (October 17, 1951) is printed *Ibid.*, pp. 853-854.

## PROTOCOLS ON THE FEDERAL REPUBLIC OF GERMANY

## ARTICLE III

The present Protocol, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other Parties to the North Atlantic Treaty.

In witness whereof, the undersigned Representatives, duly authorised thereto by their respective Governments, have signed the present Protocol.

Signed at Paris the twenty-third day of October nineteen hundred and fifty-four.

For Belgium:

P. H. SPAAK

For Canada:

L B PEARSON

For Denmark:

H. C. HANSEN

For France:

P. MENDÈS-FRANCE

For Greece:

S STEPHANOPOULOS

For Iceland:

KRISTINN GUÐMUNDSON

For Italy:

G. MARTINO

For the Grand-Duchy of Luxembourg:

Jos BECH

For Netherlands:

J W BEYEN

For Norway:

HALVARD LANGE

For Portugal:

PAULO CUNHA

For Turkey:

F. KÖPRÜLÜ

For the United Kingdom of Great Britain and Northern Ireland:

ANTHONY EDEN

For the United States of America:

JOHN FOSTER DULLES

*Warsaw Security Pact, May 14, 1955<sup>1</sup>*

**TREATY OF FRIENDSHIP, COOPERATION AND MUTUAL ASSISTANCE BETWEEN THE PEOPLE'S REPUBLIC OF ALBANIA, THE PEOPLE'S REPUBLIC OF BULGARIA, THE HUNGARIAN PEOPLE'S REPUBLIC, THE GERMAN DEMOCRATIC REPUBLIC, THE POLISH PEOPLE'S REPUBLIC, THE RUMANIAN PEOPLE'S REPUBLIC, THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE CZECHOSLOVAK REPUBLIC, MAY 14, 1955**

The Contracting Parties,

reaffirming their desire for the establishment of a system of European collective security based on the participation of all European states irrespective of their social and political systems, which would make it possible to unite their efforts in safeguarding the peace of Europe;

mindful, at the same time, of the situation created in Europe by the ratification of the Paris agreements, which envisage the formation of a new military alignment in the shape of "Western European Union," with the participation of a remilitarized Western Germany and the integration of the latter in the North-Atlantic bloc, which increased the danger of another war and constitutes a threat to the national security of the peaceable states;

being persuaded that in these circumstances the peaceable European states must take the necessary measures to safeguard their security and in the interests of preserving peace in Europe;

guided by the objects and principles of the Charter of the United Nations Organization;

being desirous of further promoting and developing friendship, cooperation and mutual assistance in accordance with the principles of respect for the independence and sovereignty of states and of non-interference in their internal affairs,

have decided to conclude the present Treaty of Friendship, Cooperation and Mutual Assistance and have for that purpose appointed as their plenipotentiaries:

\* \* \* \* \*

who, having presented their full powers, found in good and due form, have agreed as follows:

**ARTICLE 1**

The Contracting Parties undertake, in accordance with the Charter of the United Nations Organization, to refrain in their international relations from the threat or use of force, and to settle their international disputes peacefully and in such manner as will not jeopardize international peace and security.

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<sup>1</sup> *American Foreign Policy, 1950-1955*, vol. I, pp. 1239-1242.

**ARTICLE 2**

The Contracting Parties declare their readiness to participate in a spirit of sincere cooperation in all international actions designed to safeguard international peace and security, and will fully devote their energies to the attainment of this end.

The Contracting Parties will furthermore strive for the adoption, in agreement with other states which may desire to cooperate in this, of effective measures for universal reduction of armaments and prohibition of atomic, hydrogen and other weapons of mass destruction.

**ARTICLE 3**

The Contracting Parties shall consult with one another on all important international issues affecting their common interests, guided by the desire to strengthen international peace and security.

They shall immediately consult with one another whenever, in the opinion of any one of them, a threat of armed attack on one or more of the Parties to the Treaty has arisen, in order to ensure joint defence and the maintenance of peace and security.

**ARTICLE 4**

In the event of armed attack in Europe on one or more of the Parties to the Treaty by any state or group of states, each of the Parties to the Treaty, in the exercise of its right to individual or collective self defence in accordance with Article 51 of the Charter of the United Nations Organization, shall immediately, either individually or in agreement with other Parties to the Treaty, come to the assistance of the state or states attacked with all such means as it deems necessary, including armed force. The Parties to the Treaty shall immediately consult concerning the necessary measures to be taken by them jointly in order to restore and maintain international peace and security.

Measures taken on the basis of this Article shall be reported to the Security Council in conformity with the provisions of the Charter of the United Nations Organization. These measures shall be discontinued immediately the Security Council adopts the necessary measures to restore and maintain international peace and security.

**ARTICLE 5**

The Contracting Parties have agreed to establish a Joint Command of the armed forces that by agreement among the Parties shall be assigned to the Command, which shall function on the basis of jointly established principles. They shall likewise adopt other agreed measures necessary to strengthen their defensive power, in order to protect the peaceful labours of their peoples, guarantee the inviolability of their frontiers and territories, and provide defence against possible aggression.

**ARTICLE 6**

For the purpose of the consultations among the Parties envisaged in the present Treaty, and also for the purpose of examining questions which may arise in the operation of the Treaty, a Political Consulta-

tive Committee shall be set up, in which each of the Parties to the Treaty shall be represented by a member of its Government or by another specifically appointed representative.

The Committee may set up such auxiliary bodies as may prove necessary.

#### ARTICLE 7

The Contracting Parties undertake not to participate in any coalitions or alliances and not to conclude any agreements whose objects conflict with the objects of the present Treaty.

The Contracting Parties declare that their commitments under existing international treaties do not conflict with the provisions of the present Treaty.

#### ARTICLE 8

The Contracting Parties declare that they will act in a spirit of friendship and cooperation with a view to further developing and fostering economic and cultural intercourse with one another, each adhering to the principle of respect for the independence and sovereignty of the others and non-interference in their internal affairs.

#### ARTICLE 9

The present Treaty is open to the accession of other states, irrespective of their social and political systems, which express their readiness by participation in the present Treaty to assist in uniting the efforts of the peaceable states in safeguarding the peace and security of the peoples. Such accession shall enter into force with the agreement of the Parties to the Treaty after the declaration of accession has been deposited with the Government of the Polish People's Republic.

#### ARTICLE 10

The present Treaty is subject to ratification, and the instruments of ratification shall be deposited with the Government of the Polish People's Republic.

The Treaty shall enter into force on the day the last instrument of ratification has been deposited. The Government of the Polish People's Republic shall notify the other Parties to the Treaty as each instrument of ratification is deposited.

#### ARTICLE 11

The present Treaty shall remain in force for twenty years. For such Contracting Parties as do not at least one year before the expiration of this period present to the Government of the Polish People's Republic a statement of denunciation of the Treaty, it shall remain in force for the next ten years.

Should a system of collective security be established in Europe, and a General European Treaty of Collective Security concluded for this purpose, for which the Contracting Parties will unswervingly strive, the present Treaty shall cease to be operative from the day the General European Treaty enters into force.

Done in Warsaw on May 14, 1955, in one copy each in the Russian, Polish, Czech and German languages, all texts being equally authentic. Certified copies of the present Treaty shall be sent by the Government of the Polish People's Republic to all the Parties to the Treaty.

In witness whereof the plenipotentiaries have signed the present Treaty and affixed their seals.

*Statement at Geneva by Prime Minister Eden, on European Security, German Reunification, and a Demilitarized Area, July 18, 1955<sup>1</sup>*

This Conference is unique in history because the conditions in which we meet are unmatched in human experience. We all know what unparalleled resources the scientific and technical discoveries of our age have placed within our reach. We have only to stretch out our hand and the human race can enter an age of prosperity such as has never been known. It is equally clear how utterly destructive must be the conditions of any conflict in which the Great Powers are engaged.

There was a time when the aggressor in war might hope to win an advantage and to realize political gain for his country by military action. The more overwhelming the military power the more tempting was the prize and the less might the aggressor expect to have to pay. We can each one of us think of examples of this in history. Nothing of the kind is possible now. No war can bring the victor spoils; it can only bring him and his victim utter annihilation. Neutrals would suffer equally with the combatants.

These are stern facts out of which we can perhaps win enduring peace at last. The deterrent against warlike action holds up a warning hand. But the deterrent cannot of itself solve international problems or remove the differences that exist between us. It is in an attempt to make progress with these problems and differences that we are met here today. And at this Conference we have to deal with them mainly in the context of Europe.

What is the chief among them? There can surely be no doubt of the answer. The unity of Germany. As long as Germany is divided, Europe will be divided. Until the unity of Germany is restored there can be neither confidence nor security in this continent. Within the limits of our Western Zone we have done all we can to unify Germany. We have broken down the barriers between our zones. We have treated the three Western areas as an economic unit and given them a federal Government. We have brought the occupation to an end.

Quite apart from the larger issues of German reunification it would mark a real advance if, pending our negotiations for German unity, the Soviet Government felt able to relax the physical restrictions which now aggravate the division of Germany, and prevent contact between Germans in the East and West.

Now I must turn to the wider issues of German unification. What is the reason why the Berlin Conference failed a year ago? We must examine this as dispassionately as we can in order to see what

<sup>1</sup> *The Geneva Conference of Heads of Government, July 18-23, 1955* (Department of State publication 6048), pp. 31-34.

progress we can now make from the apparently fixed positions which the great Powers on both sides then felt obliged to take. At the Berlin Conference the West proposed the unification of Germany with free elections and the free right of Germany of [to] choose her own foreign policy. Under the so-called Eden Plan Germany could have chosen either association with the West or association with the East or neutrality. But the Soviet Government was unable to accept that plan. Yet we all know in our hearts that Germany must be united and that a great country cannot be permanently prevented from freely deciding its own foreign policy.

The reason why the Berlin Conference failed was because one of the Powers there believed that a united Germany, rearmed and exercising its choice to join the NATO alliance, would constitute an increased threat to its safety and security. I am not now going to argue whether those fears are justified. In these last ten years there have been plenty of occasions for suspicious and alarms. These have found expression in heavy armament programmes. To try to deal with these issues in their wider aspect we have all agreed to work through the Disarmament Commission of the United Nations. We welcome the substantial progress which has recently been made there and the important measure of common thinking which has now emerged between the various proposals of the Western Powers and those recently set before us by the Soviet Government. All these discussions will go on, but, as we know, the immediate need is to make a practical start.

The urgent problem is how to begin the process of reducing tensions and removing suspicion and fear. There is also the practical question of how we can devise and operate together an effective control of armaments and of armed forces.

To reunify Germany will not of itself increase or reduce any threat which may be thought to exist to European security. Everything will depend on the conditions under which reunification takes place. I wish therefore now to suggest that we should consider a number of inter-related proposals which are intended to do two things. First, they are calculated to meet the apprehension of increased danger which some at Berlin felt might follow the acceptance of our plan. Secondly, they are intended to make a practical experiment in the operative control of armaments. This, if locally successful in Europe, might, as it were, extend outwards from the centre to the periphery. If we can once establish a sense of security over the continent of Europe—if we can create an effective system to reduce tensions here—can we not hope that this first success will be the preliminary for wider and more far-reaching understanding? We have therefore had in mind certain ideas which we think could be helpful to this end.

As I have said, our purpose is to ensure that the unification of Germany and her freedom to associate with countries of her choice shall not involve any threat to anybody. There are no doubt many ways of doing this. To illustrate what I have in mind let me give some examples. These will consist partly of actions and partly of assurances. Let us take the latter first. We would be prepared to be parties to a security pact of which those round this [table] and a united Germany might be members. By its terms each country could declare itself

ready to go to the assistance of the victim of aggression, whoever it might be. There are many forms which such a pact might take. We would be ready to examine them and to set out our views about them. We would propose to inscribe any such agreement under the authority of the United Nations. It would also be our intention that if any member country should break the peace that country would forfeit thereby any rights which it enjoys at present under existing agreements.

Secondly, we would be ready to discuss and try to reach agreement, as to the total of forces and armaments on each side in Germany and the countries neighbouring Germany. To do this it would be necessary to join in a system of reciprocal control to supervise the arrangement effectively. All those represented here would we hope be partners in this, together with a united Germany. It would be understood that any proposals in this field would not exclude or delay the work of the United Nations Disarmament Commission, to which we attach great importance.

Is there some further reassurance we can give each other? There is one which I certainly think should be considered. We should be ready to examine the possibility of a demilitarised area between East and West.

It is true that these ideas are limited in the first instance to the area of Europe, but I am sure that they could help us here in practice and perhaps as an example. I will sum them up. There is the suggestion of a mutual security pact. There is the prospect of an agreement about the total of forces and armaments of the two groups both in Germany and in the countries neighbouring Germany. This would be subject to reciprocal supervision. There is the concept of a demilitarised area.

If we could start work on these lines we should have a chance of providing a constructive and encouraging plan to ensure peace for Europe. These ideas would give real security; and it is for the lack of that security that Germany is kept divided today. I suggest that they should be further examined. I have given only the summary of them here.

There are other aspects of our work together which I could have mentioned. For instance we would warmly welcome any proposals which would result in a greater freedom of movement and exchange of contacts between our peoples.

But it seems to me that it will be by our success in achieving some practical results about the future of Germany and European security that this Conference will be judged. We want to agree on two things: the urgent need for the unification of Germany and the broad outline of the means by which it can be achieved. I do not pretend that our ideas are anything in the nature of a complete plan but they are the outline sketch which once agreed upon could surely be filled in. If we can draw up something like this before we leave Geneva at the end of this Conference, the peoples of the world will not be disappointed.

*Soviet Draft Treaty on Collective Security in Europe, July 20,  
1955.<sup>1</sup>*

GENERAL EUROPEAN TREATY ON COLLECTIVE  
SECURITY IN EUROPE

(BASIC PRINCIPLES)

I.

For the purpose of ensuring peace and security and of preventing aggression against any state in Europe,

For the purpose of strengthening international cooperation in conformity with the principles of respect for the independence and sovereignty of states and noninterference in their internal affairs,

Striving to achieve concerted efforts by all European states in ensuring collective security in Europe instead of the formation of groupings of some European states directed against other European states, which gives rise to friction and strained relations among nations and aggravates mutual distrust,

Having in view that the establishment of a system of collective security in Europe would facilitate the earliest possible settlement of the German problem through the unification of Germany on a peaceful and democratic basis,

European states, guided by the purposes and principles of the Charter of the United Nations[,] conclude a General European Treaty on Collective Security in Europe the basic provisions of which are as follows:

1. All European states, irrespective of their social systems, and the United States of America as well, may become parties to the Treaty provided they recognise the purposes and assume the obligations set forth in the Treaty.

Pending the formation of a united, peace-loving, democratic German state, the German Democratic Republic and the German Federal Republic may be parties to the Treaty enjoying equal rights with other parties thereto. It is understood that after the unification of Germany the united German State may be a party to the Treaty under general provisions hereof.

The conclusion of the Treaty on Collective Security in Europe shall not affect the competence of the four powers—the U.S.S.R., the U.S.A., the United Kingdom and France—to deal with the German problem, which shall be settled in accordance with decisions previously taken by the Four Powers.

2. The States-parties to the Treaty undertake to refrain from aggression against one another and also to refrain from having recourse to the threat or use of force in their international relations and, in accordance with the Charter of the United Nations, to settle any dispute that may arise among them by peaceful means and in such a way as not to endanger international peace and security in Europe.

3. Whenever, in the view of any State-party to the Treaty, there is danger of an armed attack in Europe against one or more of the States-parties to the Treaty, they shall consult one another in order

<sup>1</sup> 164, pp. 48-51

to take effective steps to remove the danger and to maintain security in Europe.

4. An armed attack in Europe against one or several States-parties to the Treaty by any state or group of states shall be deemed to be an attack against all the Parties. In the event of such an attack, each of the Parties, exercising the right of individual or collective self-defence, shall assist the state or states so attacked by all the means at its disposal, including the use of armed force, for the purpose of re-establishing and maintaining international peace and security in Europe.

5. The States-parties to the Treaty undertake jointly to discuss and determine as soon as possible the procedure under which assistance, including military assistance, shall be provided by the States-parties to the Treaty in the event of a situation in Europe requiring a collective effort for the re-establishment and maintenance of peace in Europe.

6. The States-parties to the Treaty, in conformity with the provisions of the Charter of the United Nations, shall immediately inform the Security Council of the United Nations, of any action taken or envisaged for the purpose of exercising the right of self-defence or of maintaining peace and security in Europe.

7. The States-parties to the Treaty undertake not to participate in any coalition or alliance and not to conclude agreements the objectives of which are contrary to the purposes of the Treaty on Collective Security in Europe.

8. The States parties to the Treaty undertake to promote a broad economic and cultural cooperation among themselves as well as with other states through the development of trade and other economic relations, the expansion of cultural ties on a basis excluding any discrimination or restrictions which hamper such cooperation.

9. In order to implement the provisions of the Treaty concerning consultation among its Parties and to consider questions arising in connection with the task of ensuring security in Europe, the following shall be provided for:

(a) Regular or, when required, special conferences at which each State shall be represented by a member of its government or by some other specially designated representative;

(b) The setting up of a permanent consultative political committee the duty of which shall be the preparation of appropriate recommendations to the governments of the States-parties to the Treaty;

(c) The setting up of a military consultative organ the terms of reference of which shall be specified in due course.

10. Recognising the special responsibility of the permanent members of the United Nations Security Council for the maintenance of international peace and security, the States-parties to the Treaty shall invite the Government of the Chinese People's Republic to designate representatives to the organs set up in accordance with the Treaty in the capacity of observers.

11. The present Treaty shall not impair in any way the obligations of European states under international treaties and agreements to which they are party, provided the principles and purposes of such agreements are in conformity with those of the present Treaty.

## II.

12. The States-parties to the Treaty agree that during the first period (two or three years) of the implementation of measures for the establishment of the system of collective security in Europe under the present Treaty they shall not be relieved of the obligations assumed by them under existing treaties and agreements.

At the same time the States-parties to existing treaties and agreements which provide for military commitments shall refrain from the use of armed force and shall settle by peaceful means all the disputes that may arise between them. Consultations shall also take place between the parties to the corresponding treaties, and agreements in case any differences or disputes arise among them which might constitute a threat to the maintenance of peace in Europe.

13. Pending the conclusion of agreements on the reduction of armaments and the prohibition of atomic weapons and on the withdrawal of foreign troops from the territories of European countries, the States-parties to the Treaty undertake not to take any further steps to increase their armed forces on the territories of other European states under treaties and agreements concluded by them previously.

14. The States-parties to the Treaty agree that on the expiration of an agreed time limit from the entry into force of the present Treaty, the Warsaw Treaty of May 14, 1955, the Paris Agreements of October 23, 1954, and the North Atlantic Treaty of April 4, 1949 shall become ineffective.

15. The duration of the Treaty shall be 50 years.

*Soviet Proposal: Basic Principles of the Treaty Between the Existing Groups of States in Europe, July 21, 1955<sup>1</sup>*

BASIC PRINCIPLES OF THE TREATY BETWEEN THE EXISTING GROUPS OF STATES IN EUROPE

Guided by the desire to strengthen peace and recognizing the necessity to contribute in every possible way to reducing international tension and establishing confidence in relations between states,

The Governments of the Soviet Union, the United States of America, France and the United Kingdom have agreed that the conclusion of a treaty between the member states of the North Atlantic Treaty Organization and the Western European Union on the one hand, and the parties to the Warsaw Treaty on the other, would be in the interest of the maintenance of peace in Europe. Such a treaty might be based on the following principles:

1. The member states of the North Atlantic Treaty Organization and of the Paris Agreements, on the one hand, and the parties to the Warsaw Treaty, on the other, undertake to refrain from the use of armed force against one another. This undertaking shall not infringe upon the right of states to individual or collective self-defense in the event of an armed attack, as provided in Article 51 of the Charter.

<sup>1</sup> Ibid., p. 54

2. The parties to the Treaty undertake to consult one another in the event of differences and disputes which might constitute a threat to the maintenance of peace in Europe.

3. This Treaty is of a provisional nature and shall remain in effect until it is replaced by a treaty for the establishment of a system of collective security in Europe.

*Geneva Directive of the Heads of Government of the Four Powers  
to the Foreign Ministers, July 23, 1955<sup>1</sup>*

The Heads of Government of France, the United Kingdom, the U.S.S.R. and the U.S.A., guided by the desire to contribute to the relaxation of international tension and to the consolidation of confidence between states, instruct their Foreign Ministers to continue the consideration of the following questions with regard to which an exchange of views has taken place at the Geneva Conference, and to propose effective means for their solution, taking account of the close link between the reunification of Germany and the problems of European security, and the fact that the successful settlement of each of these problems would serve the interests of consolidating peace.

*1. European Security and Germany.*

For the purpose of establishing European security with due regard to the legitimate interests of all nations and their inherent right to individual and collective self-defence, the Ministers are instructed to consider various proposals to this end, including the following: A security pact for Europe or for a part of Europe, including provisions for the assumption by member nations of an obligation not to resort to force and to deny assistance to an aggressor; limitation, control, and inspection in regard to armed forces and armaments; establishment between East and West of a zone in which the disposition of armed forces will be subject to mutual agreement; and also to consider other possible proposals pertaining to the solution of this problem.

The Heads of Government, recognizing their common responsibility for the settlement of the German question and the re-unification of Germany, have agreed that the settlement of the German question and the re-unification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security. The Foreign Ministers will make whatever arrangements they may consider desirable for the participation of, or for consultation with, other interested parties.

*2. Disarmament*

The Four Heads of Government,  
Desirous of removing the threat of war and lessening the burden of armaments,

Convinced of the necessity, for secure peace and for the welfare of mankind, of achieving a system for the control and reduction of all armaments and armed forces under effective safeguards,

Recognizing that achievements in this field would release vast material resources to be devoted to the peaceful economic development of

<sup>1</sup> *Ibid.*, pp. 67-68.

nations, for raising their well-being, as well as for assistance to under-developed countries,

Agree:

(1) for the purposes to work together to develop an acceptable system for disarmament through the Sub-Committee of the United Nations Disarmament Commission;

(2) to instruct their representatives in the Sub-Committee in the discharge of their mandate from the United Nations to take account in their work of the views and proposals advanced by the Heads of Government at this Conference;

(3) to propose that the next meeting of the Sub-Committee be held on August 29, 1955, at New York;

(4) to instruct the Foreign Ministers to take note of the proceedings in the Disarmament Commission, to take account of the views and proposals advanced by the Heads of Government at this Conference and to consider whether the four Governments can take any further useful initiative in the field of disarmament.

### *3. Development of Contacts between East and West*

The Foreign Ministers should by means of experts study measures, including those possible in organs and agencies of the United Nations, which could (a) bring about a progressive elimination of barriers which interfere with free communications and peaceful trade between people and (b) bring about such freer contacts and exchanges as are to the mutual advantage of the countries and peoples concerned.

4. The Foreign Ministers of the Four Powers will meet at Geneva during October to initiate their consideration of these questions and to determine the organisation of their work.

### *Communiqué on Negotiations Between the Soviet Union and the Federal Republic of Germany, September 13, 1955<sup>1</sup>*

From September 9 to 13 negotiations were held in Moscow between the Government delegation of the Soviet Union and the Government delegation of the German Federal Republic.

On the Soviet side there took part the Chairman of the Council of Ministers of the Soviet Union, Marshal (Nikolai A.) Bulganin, head of the delegation; (Nikita S.) Khrushchev, member of the Presidium of the Supreme Soviet of the Soviet Union; (Vyacheslav M.) Molotov, First Deputy Chairman of the Council of Ministers of the Soviet Union and Foreign Minister of the Soviet Union; (Michael G.) Pervukhin, First Deputy Chairman of the Council of Ministers of the Soviet Union; Ivan G. Kabanov, Minister of Foreign Trade; (Vladimir S.) Smynov, Deputy Foreign Minister of the Soviet Union.

On the Federal German Republic side the following took part in the talks: Federal Chancellor Dr. (Konrad) Adenauer, head of the delegation; Minister of Foreign Affairs of the Federal German Republic Dr. (Heinrich) von Brentano; State Secretary of Foreign Affairs (Professor Walter Hallstein); State Secretary of the Office of the Office of the Federal Chancellor Dr. (Hans) Glebke; Chairman

<sup>1</sup> Department of State files.

of the Lower House Foreign Affairs Committee and Minister-President of North Rhine-Westphalia, (Karl) Arnold; Chairman of the Foreign Affairs Committee of the Bundestag (George) Kiesinger; Deputy Chairman of the Foreign Affairs Committee of the Bundestag (Dr. Carl Schmid; Ambassador (Dr. Herbert) Blankenhorn; Ambassador (Felix) von Eckardt; Ministerial Director Dr. Growe.

During the talks, which took place in an atmosphere of mutual understanding, there took place a broad and frank exchange of views on the question of the mutual relations between the Soviet Union and the Federal German Republic. During the talks the question of the establishment of diplomatic relations between the Soviet Union and the Federal German Republic was discussed.

An agreement was reached, and expressed in letters exchanged by the parties, with a view to obtaining the approval of the Federal Government and of the Bundestag, as well as of the Presidium of the Supreme Soviet, for the establishment of diplomatic relations between the two countries, and the setting up to this end, of embassies respectively in Bonn and in Moscow, and to the exchange of diplomatic representatives of the rank of extraordinary and plenipotentiary ambassadors.

Both delegations agreed that the establishment of diplomatic relations would contribute to the development of mutual understanding and cooperation between the Soviet Union and the German Federal Republic in the interests of peace and security in Europe.

The parties are starting from the assumption that the establishment and development of normal relations between the Soviet Union and the Federal German Republic will further the settlement of pending problems affecting the whole of Germany, and must thus help the solution of the principal national problem of the German people, the reestablishment of the unity of the German democratic state.

In confirmation of the agreement reached, the Chairman of the Council of Ministers of the Soviet Union and Federal Chancellor of the German Federal Republic exchanged letters, the text of which is annexed. The parties also agreed that negotiations should shortly be negotiated between the German Federal Republic and the Soviet Union on the problems of the development of trade.

*Letter from Premier Bulganin to Chancellor Adenauer, September 13, 1955<sup>1</sup>*

In connection with the agreement reached in the course of negotiations between the Government delegations of the Soviet Union and the German Federal Republic, I have the honor to confirm that the Soviet Government has taken the decision to establish diplomatic relations with the Government of the German Federal Republic and to effect an exchange of diplomatic representatives with the rank of Ambassador Plenipotentiary and Extraordinary.

The Soviet Government expresses its confidence that the establishment of diplomatic relations will contribute toward the development of mutual understanding and cooperation between the Soviet Union

<sup>1</sup> Department of State files. An analogous letter was sent by Chancellor Adenauer to Premier Bulganin.

and the German Federal Republic in the interests of peace and security in Europe.

The Soviet Government is guided by the fact that the establishment and development of normal relations between the Soviet Union and the German Federal Republic will contribute to the solution of outstanding problems concerning the whole of Germany and will thus contribute also to the solution of the main common national problems of the German people—the establishment of a united democratic German state.

I deem it necessary to state that the agreement of the establishment of diplomatic relations between the Soviet Union and the German Federal Republic will enter into force from the moment of confirmation by the Presidium of the Supreme Soviet of the U.S.S.R.

I ask you to accept my regards and assurances of my great esteem.

*Letter from Chancellor Adenauer to Premier Bulganin, Stating Certain Reservations at the Time of Establishing Diplomatic Relations, September 13, 1955<sup>1</sup>*

Mr. President, on the occasion of the establishment of diplomatic relations between the Government of the Federal Republic and the Government of the USSR I state:

1. The establishment of the diplomatic relations between the Government of the Federal Republic of Germany and the Government of the USSR does not constitute a recognition of the present territorial status on both sides. The final delimitation of the German borders remains reserved to the Peace Treaty.

2. The establishment of diplomatic relations with the Government of the Soviet Union does not mean a revision of the legal point of view of the Federal Government regarding its powers to represent the Germany nation in international affairs and with respect to the political conditions in those German territories which are at present outside of its effective sovereignty.

*Treaty Between the Soviet Union and the German Democratic Republic, September 20, 1955<sup>2</sup>*

The President of the GDR and the Presidium of the Supreme Soviet of the USSR, guided by the desire for a development of close cooperation and for the further strengthening of the friendly relations between the GDR and the USSR on the basis of equality, mutual respect of the sovereignty and noninterference in domestic affairs, in view of the new situation which has arisen owing to the coming into force of the Paris Agreements of 1954, convinced that the concerted efforts of the GDR and the Soviet Union to cooperate in the preservation and consolidation of peace and of security in Europe, and to restore the unity of Germany as a peace-loving and Democratic state, and to bring about a peace settlement with Germany in the form of a treaty,

<sup>1</sup> Department of State files. For German text see *Bulletin des Prese und Informationsamtes der Bundesregierung*, Sonderausgabe, Bonn, September 20, 1955.

<sup>2</sup> *New York Times*, September 21, 1955. The treaty entered into force October 6, 1955.

are in accordance with the interest of the German people and the Soviet people and alike with the interests of the other European peoples, taking into consideration the obligations of the GDR and the Soviet Union under the international agreements which concern Germany as a whole, have decided to conclude this Treaty and have appointed as their Plenipotentiaries: The President of the German Democratic Republic, the Premier of the GDR, Otto Grotewohl; the Presidium of the Supreme Soviet of the USSR, the Chairman of the Council of Ministers of the USSR, N. A. Bulganin, who, after exchanging their full powers, found in good and due form, have agreed upon the following terms:

The contracting parties solemnly confirm that the relations between them are based on complete equality of rights, mutual respect of sovereignty and the non-interference in domestic affairs.

In accordance with this, the German Democratic Republic is free in its decisions upon questions of its interior politics and foreign policies, including its relations with the German Federal Republic, as well as of a development of relations with other states.

The contracting parties declare their readiness to take part in a spirit of sincere cooperation in all international actions, the aim of which is the safeguarding of peace and security in Europe and in the whole world, and which are in accord with the statutes of the organization of the United Nations.

For this purpose, they will consult each other about all important international questions, which affect the interests of both states. They will take all measures at their disposal with the aim not to allow a violation of peace.

In accord with the interests of both countries, and following the principles of friendship, the contracting parties agree to develop and strengthen furthermore the economic, scientific technical and cultural relations existing between the German Democratic Republic and the Union of the Socialist Soviet Republics, to grant all possible mutual aid, and to realize the necessary economic and scientific-technical cooperation.

The Soviet troops at present stationed on the territory of the East German Democratic Republic, in accordance with the existing international agreements, remain temporarily in the German Democratic Republic with the approval of the Governments of the German Democratic Republic on conditions to be settled by an additional agreement between the Government of the Democratic German Republic and the Soviet Union.

The Soviet troops temporarily stationed on the territory of the German Democratic Republic will not interfere with the interior affairs of the German Democratic Republic and with the social-political life of the country.

There is accord between the contracting parties that it is their main aim to bring about a peaceful settlement for the whole of Germany by means of appropriate negotiations.

In accordance with this, they will make the necessary efforts toward a settlement by a peace treaty and toward the restoration of the unity of Germany on a peaceful and democratic basis.

*Letter from the Foreign Minister of the German Democratic Republic (Bolz) to Deputy Foreign Minister of the Soviet Union (Zorin), September 20, 1955<sup>1</sup>*

The Government of the GDR has authorized me to confirm that agreement has been reached on the following matters in consequence of the negotiations conducted between the Government of the GDR and the Government of the USSR in Moscow between September 17 and 20, 1955:

(1) The GDR exercises control over and guards the frontiers of the GDR, the demarcation line between the GDR and the German Federal Republic, at the outer ring of greater Berlin, within Berlin, and on the lines of communication between the German Federal Republic and West Berlin situated on GDR territory.

In the control and guarding of lines of communication between the German Federal Republic and West Berlin situated on GDR territory, the GDR will insure with the appropriate authorities of the German Federal Republic, the settlement of all matters connected with rail and road traffic and the passage of shipping of the German Federal Republic and West Berlin, their citizens or inhabitants and foreign states and their citizens, except for the personnel and material of the troops of the United States, Great Britain, and France in West Berlin, which is mentioned subsequently in paragraph 2.

In accordance with the above, the functions of issuing and completing shipping documents for shipping on the internal waterways of the GDR and others will be exclusively exercised by the authorities of the GDR.

(2) The control of traffic of troops and material of the garrisons of France, England, and the United States stationed in West Berlin passing between the German Federal Republic and West Berlin, will temporarily be exercised by the command of Soviet troops in Germany, pending the conclusion of an appropriate agreement. To this end, the transportation of military personnel or of garrison material of the troops of the three Western Powers in West Berlin will be permitted on the basis of existing Four-Power decisions:

- (A) On the Autobahn Berlin-Marienborn,
- (B) On the Railway Line Berlin-Helmstedt, with empty rolling stock being routed back on the Berlin-Oebisfelde Railway Line,
- (C) In the air corridors Berlin-Hamburg, Berlin-Bueckeburg, and Berlin-Frankfurt-Main.

*Statement by the American, British, and French Foreign Ministers, on the Soviet-GDR Agreements, September 28, 1955<sup>2</sup>*

The Foreign Ministers of the United States, the United Kingdom, and France wish to make known their view on certain points in connection with the agreements of September 20, 1955, as reported in the press, between the Soviet Union and the regime in the Soviet zone of Germany.

<sup>1</sup> Soviet radio broadcast. Mr. Zorin addressed an analogous letter to Dr. Bolz.

<sup>2</sup> Department of State Bulletin, October 10, 1955, pp. 659-660. Issued at New York.

They wish in the first place to emphasize that these agreements cannot affect the obligations or responsibilities of the Soviet Union under agreements and arrangements between the Three Powers and the Soviet Union on the subject of Germany and Berlin. The Soviet Union remains responsible for the carrying out of these obligations.

Secondly, the three Foreign Ministers reaffirm that the Federal Republic of Germany is the only German Government freely and legitimately constituted and therefore entitled to speak for Germany as the representative of the German people in international affairs. These three governments do not recognize the East German regime nor the existence of a state in the Soviet zone.

Finally, as regards a statement which has recently appeared in the Soviet press on the frontiers of Germany, the three Foreign Ministers reaffirm the repeatedly expressed position of their Governments that the final determination of the frontiers of Germany must await a peace settlement for the whole of Germany.

*Note from the American Embassy to the Soviet Foreign Ministry,  
on the Soviet-GDR Agreements, October 3, 1955<sup>1</sup>*

The Government of the United States of America, in agreement with the Governments of the United Kingdom and France, wishes to make known its position with regard to the agreements concluded at Moscow on the 20th of September 1955 between Marshal Bulganin and Mr. Grotewohl, as published in the press.

The three Governments declare that these agreements cannot affect in any respect or in any way the obligations or responsibilities of the U.S.S.R. under agreements and arrangements on the subject of Germany, including Berlin, previously concluded between France, the United States, the United Kingdom and the U.S.S.R.

The three Governments consider that the U.S.S.R. remains bound by the engagements which it has assumed vis-a-vis the Three Powers concerning Germany, and that, in particular, the letters exchanged between Mr. Zorin and Mr. Bolz on the 20th of September 1955 cannot have the effect of discharging the U.S.S.R. from the responsibilities which it has assumed in matters concerning transportation and communications between the different parts of Germany, including Berlin.

*Note from the Soviet Foreign Ministry to the American Embassy,  
on the Soviet-GDR Agreements, October 18, 1955<sup>2</sup>*

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics presents its compliments to the Embassy of the United States of America and in connection with the latter's note of October 3 has the honor to state the following:

On September 20 of this year the Government of the Soviet Union and the Government of the German Democratic Republic concluded "A Treaty on Relations Between the Union of Soviet Socialist Re-

<sup>1</sup> *Ibid.*, October 17, 1955, p. 616. The British and French Embassies delivered similar notes on the same day. For the text of the Soviet reply of October 18, see *infra*.

<sup>2</sup> *Ibid.*, November 7, 1955, pp. 734-735. For the text of the American reply of October 27, see *infra*.

publics and the German Democratic Republic," which after ratification by the Parliaments of both countries has come into force. According to the treaty, relations between the Soviet Union and the German Democratic Republic are settled on a basis of full equality, mutual respect of sovereignty, and non-interference in internal affairs. The treaty provides for the cooperation of the Soviet Union and the German Democratic Republic in the interests of guaranteeing peace and security in Europe, and the reestablishment of the unity of Germany on a peace-loving and democratic basis.

In concluding the treaty with the German Democratic Republic, the Soviet Government at the same time made the decision on the abolition of the function of the High Commissioner of the U.S.S.R. in Germany, and also on the termination of the validity on territory of the German Democratic Republic of laws, directives, and decrees of the former Control Council in Germany issued by the occupying powers in the course of exercising rights of occupation of Germany.

At the same time, considering the actual situation which has come about at the present time, when on the territory of Germany there exist two independent sovereign states, the Soviet Union established diplomatic relations with the German Federal Republic. Thus, the Soviet Union has at the present time diplomatic relations with both states existing on the territory of Germany.

The Government of the United States of America has diplomatic relations with one German state—the German Federal Republic—with which it has concluded well-known treaties in violation of the obligations which it assumed under the four-power decisions in relation to Germany. Absence of normal relations of the United States of America with the other part of Germany—with the German Democratic Republic—cannot, naturally, serve as an obstacle to the proper regulation of relations between the Soviet Union and the German Democratic Republic.

In signing the treaty on the relations between the U.S.S.R. and the German Democratic Republic, the parties proceeded from the premise that the German Democratic Republic exercises its jurisdiction on territory under its sovereignty, which, of course, also applies to communications on that territory.

As for control over the movement between the German Federal Republic and West Berlin of military personnel and freight of garrisons of the U.S.A., Great Britain, and France, quartered in West Berlin, in negotiations between the Governments of the U.S.S.R. and the German Democratic Republic, it was stipulated that this control would henceforth be carried out by the command of the Soviet military forces in Germany temporarily until the achievement of a suitable agreement.

It is self-understood that, in concluding the above-mentioned treaty, the Governments of the Soviet Union and the German Democratic Republic took into consideration the obligations which both have under existing international agreements relating to Germany as a whole.

In connection with the foregoing, the Ministry of Foreign Affairs of the U.S.S.R. has the honor to send the Embassy for its information texts of the "Treaty on Relations Between the Union of Soviet Socialist Republics and the German Democratic Republic" and documents connected therewith.

**Note From the American Embassy to the Soviet Foreign Ministry,  
on the Soviet-GDR Agreements, October 27, 1955<sup>1</sup>**

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs, and, with reference to the Ministry's note of October 18, 1955, concerning the agreements concluded on September 20, 1955, between Marshal Bulganin and Mr. Grotewohl, has the honor to state the following views of the Government of the United States.

As the Government of the United States has already made clear in its note of October 3, 1955, these agreements can in no way be regarded as releasing the Soviet Government from its obligations under existing Four-Power Agreements, and in particular its responsibility for ensuring the normal functioning of communications between the different parts of Germany, including Berlin.

For its part, the United States Government cannot accept the allegation contained in the Ministry's note that, in treaties it has concluded with the Federal Government of Germany, it has violated the obligations it had assumed under quadripartite agreements.

**Western Proposal on German Reunification and European Security, October 27, 1955<sup>2</sup>**

**REUNIFICATION OF GERMANY AND SECURITY**

At the Geneva Conference, the Heads of Government recognized, in their Directive to the Foreign Ministers, the common responsibility of the Four Powers for the reunification of Germany by means of free elections in conformity with the national interests of the German people and the interests of European security.

France, the United Kingdom and the United States of America have striven unceasingly for the reunification of Germany in freedom in order to promote real stability in Europe. Last year they put forward, in the Eden Plan, proposals which offer the German nation the means to recover its unity in accordance with the rights of peoples and liberty of the individual. They renew these proposals in the paper attached hereto.

Free elections leading to the formation of a single Government for the whole of Germany are the right way of ensuring full participation of the German people in the solution of the German problem, which the Soviet Government says it also desires. If agreement in principle is reached during the present Conference, it should be possible to settle without delay questions concerning the electoral law and the supervision of the elections, which could take place as early as 1956.

Without German unity, any system of European security would be an illusion. The division of Germany can only perpetuate friction and insecurity as well as grave injustice. France, the United Kingdom

<sup>1</sup> Ibid., November 7 1955, p. 734.

<sup>2</sup> The Geneva Meeting of Foreign Ministers, October 27 November 16, 1955 (Department of State publication 6156) pp. 27-28. The proposal was submitted on October 27 by Foreign Minister Pinay on behalf of the American, British, and French delegations, but the discussion of it began on October 28, when the proposal was read out by Foreign Secretary Macmillan. The draft treaty of assurance (*infra*) and the Eden plan of January 29, 1954 (*supra*), were attached to the proposal.

and the United States of America are not prepared to enter into a system of European security which, as in the Soviet proposals put forward at Geneva, does not end the division of Germany.

At the Geneva Conference the Soviet Government expressed concern about the policy and associations of a reunified German Government. The Soviet Union appears to fear that a unified Germany, established by free elections and free to choose its associates in collective defence, would constitute a threat to the security of the Soviet Union and Eastern Europe. The fact is that the North Atlantic Treaty Organisation and the Western European Union are strictly defensive organisations. Far from constituting a threat to peace, they contribute to the security not only of their members but of all states. This is evident from the various limitations and restrictions which the members of the Western European Union have assumed and from the restraint on individual action which the NATO system imposes on its members. If a reunified Germany elects to associate itself with these organisations, the inherent obligations of restraint and control would enhance rather than detract from Soviet security.

Nevertheless, to remove any possible grounds for Soviet refusal to reunify Germany promptly, France, the United Kingdom and the United States of America are prepared to take further steps to meet the concern expressed by the Soviet Government. They accordingly propose the conclusion of a treaty in the terms set forth below, concurrently with the conclusion of an agreement to reunify Germany under the Eden Plan. This treaty would comprise undertakings to refrain from the use of force and to withhold aid from an aggressor, provisions for the limitation and control of forces and armaments, and the obligation to react against aggression. The treaty would enter into force only in conjunction with the reunification of Germany. It would be carried out by stages. Its signature would be concurrent with the signature of the agreement on the Eden Plan. The final stage would become effective when a reunified Germany decides to enter NATO and the Western European Union.

France, the United Kingdom and the United States of America are convinced that these proposals could lead to an agreement satisfactory to both sides. If the Soviet Union's concern over immediate German reunification is primarily security, these proposals should constitute an acceptable basis for negotiations since they provide a system of controls in which the Soviet Union would directly participate, and reciprocal assurances from which the Soviet Union would directly benefit. Such a settlement, by creating confidence in an area vital for world security, would facilitate the solution of even wider problems.

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*Western Outline of Terms of Treaty of Assurance on the Reunification of Germany, October 27, 1955*

The treaty, which would be concluded concurrently with an agreement on the reunification of Germany under the Eden Plan, would cover the following subjects:

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<sup>1</sup> *TM4*, pp. 28-29.

*1.—Renunciation of the Use of Force—*

Each party would undertake to settle, by peaceful means, any international dispute in which it might be involved, and to refrain from the use of force in any manner inconsistent with the purposes of the United Nations.

*2.—Withholding Support from aggressors—*

Each party would agree to withhold assistance, military or economic, to any aggressor, and any party could bring the aggression to the attention of the United Nations, and seek such measures as are necessary to maintain or to restore international peace and security.

*3.—Limitation of Forces and Armaments—*

In a zone comprising areas of comparable size and depth and importance on both sides of the line of demarcation between a reunified Germany and the Eastern European countries, levels for armed forces would be specified so as to establish a military balance which would contribute to European security and help to relieve the burden of armaments. There would be appropriate provisions for the maintenance of this balance. In parts of the zone which lie closest to the line of demarcation, there might be special measures relating to the disposition of military forces and installations.

*4.—Inspection and Control—*

The parties would provide information on an agreed progressive basis on their armed forces in the zone. There would be agreement on progressive procedures of mutual inspection to verify such data and to warn against any preparation for surprise attack.

*5.—Special Warning System—*

In order to provide added depth to the surveillance system on both sides and thus give further protection against surprise attack, provision could be made to establish:

a) in the western part of the zone mentioned in paragraph 3, a radar warning system operated by the Soviet Union and the other eastern members of the treaty, and

b) a like system in the eastern part of that zone operated by the NATO members of the treaty.

*6.—Consultation—*

There would be suitable provision for consultation among the parties to implement the treaty.

*7.—Individual and Collective Self-Defence—*

It would be provided that nothing in the treaty would impair or conflict with the right of individual and collective self defence recognised by the United Nations Charter and Treaties under it. No party would continue to station forces in the territory of any other party without the latter's consent, and upon request of the party concerned any party would withdraw its forces within a stated period, unless these forces are present in the territory concerned under collective defence arrangements.

*8.—Obligation to react against aggression*

Each party would agree that armed attack in Europe by any party, which is also a NATO member, against any party which is not a

NATO member, or vice-versa, would endanger the peace and security which is the object of this treaty, and that all the parties would then take appropriate action to meet that common danger.

#### 9.—*Entry into force by stages—*

The provisions would come into effect progressively at stages to be agreed.

### *Soviet Draft Treaty on Collective Security in Europe, October 28, 1955<sup>1</sup>*

#### GENERAL EUROPEAN TREATY ON COLLECTIVE SECURITY IN EUROPE

##### (BASIC PRINCIPLES)

###### I.

For the purpose of ensuring peace and security and of preventing aggression against any state in Europe,

For the purpose of strengthening international cooperation in conformity with the principles of respect for the independence and sovereignty of states and noninterference in their internal affairs,

Striving to achieve concerted efforts by all European states in ensuring collective security in Europe instead of the formation of groupings of some European states directed against other European states, which gives rise to friction and strained relations among nations and aggravates mutual distrust,

Having in view that the establishment of a system of collective security in Europe would facilitate the earliest possible settlement of the German problem through the unification of Germany on a peaceful and democratic basis,

European states, guided by the purposes and principles of the Charter of the United Nations, conclude a General European Treaty on Collective Security in Europe the basic provisions of which are as follows:

1. All European states, irrespective of their social systems, and the United States of America as well, may become parties to the Treaty provided they recognise the purposes and assume the obligations set forth in the Treaty.

Pending the formation of a united, peace-loving democratic German state, the German Democratic Republic and the German Federal Republic may be parties to the Treaty, enjoying equal rights with other parties thereto. It is understood that after the unification of Germany, the united German State may be a party to the Treaty under the general provisions hereof.

The conclusion of the Treaty on Collective Security in Europe shall not affect the competence of the four powers—the U.S.S.R., the U.S.A., the United Kingdom and France—to deal with the German problem, which shall be settled in accordance with decisions previously taken by the Four Powers.

<sup>1</sup> Ibid., pp. 45-48.

2. The States-parties to the Treaty undertake to refrain from aggression against one another and also to refrain from having recourse to the threat or use of force in their international relations, and, in accordance with the Charter of the United Nations, to settle any dispute that may arise among them by peaceful means and in such a way as not to endanger international peace and security in Europe.

3. Whenever, in the view of any State-party to the Treaty, there is a threat of an armed attack in Europe against one or more of the States-parties to the Treaty, they shall consult one another in order to take effective steps to remove such threat and to maintain security in Europe.

4. An armed attack in Europe against one or several States-parties to the Treaty by any State or group of states shall be deemed to be an attack against all the Parties to the Treaty. In the event of such an attack, such [each] of the Parties, exercising the right of individual or collective self-defence, shall assist the state or states so attacked by all means at its disposal, including the use of armed force, for the purpose of re-establishing and maintaining international peace and security in Europe.

5. The States-parties to the Treaty undertake jointly to discuss and determine as soon as possible the procedure under which assistance, including military assistance, shall be provided by the States-parties to the Treaty in the event of a situation in Europe requiring a collective effort for the re-establishment and maintenance of peace in Europe.

6. The States-parties to the Treaty, in conformity with the provisions of the Charter of the United Nations, shall immediately inform the Security Council of the United Nations of any action taken or envisaged for the purpose of exercising the right of self defence or of maintaining peace and security in Europe.

7. The States-parties to the Treaty undertake not to participate in any coalition or alliance and not conclude agreements the objectives of which are contrary to the purposes of the Treaty on Collective Security in Europe.

8. The States-parties to the Treaty undertake to promote a broad economic and cultural cooperation among themselves as well as with other states through the development of trade and other economic relations and through the strengthening of cultural ties on a basis excluding any discrimination or restrictions which hamper such cooperation.

9. In order to implement the provisions of the Treaty which refer to consultations among its Parties and to consider questions arising in connection with the task of ensuring security in Europe, the following shall be provided for:

(a) Regular or, when required, special conferences at which each State shall be represented by a member of its government or by some other specially designated representative;

(b) The setting up of a permanent consultative political committee the duty of which shall be the preparation of appropriate recommendations to the governments of the States-parties to the Treaty;

(c) The setting up of a military consultative organ the terms of reference of which shall be specified in due course.

10. Recognising the special responsibility of the permanent members of the United Nations Security Council for the maintenance of international peace and security, the States-parties to the Treaty shall invite the Government of the Chinese People's Republic to designate representatives to the organs set up in accordance with the Treaty in the capacity of observers.

11. The present Treaty shall not impair in any way the obligations of European states under international treaties and agreements to which they are party, provided the principles and purposes of such agreements are in conformity with those of the present Treaty.

## II.

12. The States-parties to the Treaty agree that during the first period (two or three years) of the implementation of measures for the establishment of the system of collective security in Europe under the present Treaty they shall not be relieved of the obligations assumed by them under existing treaties and agreements.

At the same time the States-parties to existing treaties and agreements which provide for military commitments shall refrain from the use of armed force and shall settle by peaceful means all the disputes that may arise between them. Consultations shall also take place between the parties to the corresponding treaties, and agreements in case any differences or disputes arise among them which might constitute a threat to the maintenance of peace in Europe.

13. Pending the conclusion of agreements on the reduction of armaments and the prohibition of atomic weapons and on the withdrawal of foreign troops from the territories of European countries, the States-parties to the Treaty undertake not [to] take any further steps to increase their armed forces on the territories of other European states under treaties and agreements concluded by them previously.

14. The States-parties to the Treaty agree that on the expiration of an agreed time-limit from the entry into force of the present Treaty, the Warsaw Treaty of May 14, 1955, the Paris Agreements of October 23, 1954, and the North Atlantic Treaty of April 4, 1949, shall become ineffective.

15. The duration of the Treaty shall be 50 years.

### *Statement at Geneva by Secretary of State Dulles, on Germany and European Security, October 28, 1955<sup>1</sup>*

Mr. Chairman, I would like first of all to confirm the sponsorship of the United States of the document and proposals which were read by you. These joint proposals—the proposal for assurances of security, coupled with the Eden Plan for the reunification of Germany—are shared by the United States, together with the United Kingdom, and France.

I merely wish, first of all, to confirm that fact, and to say that we associate ourselves, Mr. Chairman, with what you have said in exposition of these joint proposals.

<sup>1</sup> *Ibid.*, pp. 48-52.

I would like now to address myself to some of the observations that were made by Mr. Molotov, and, in the first instance, to the condemnation of what Mr. Molotov called "military blocs" but which are in reality collective security associations.

I realize that there is a difference of opinion between our governments with reference to these matters, and probably it will not be possible to resolve all those differences at this time, but I could not pass without comment the condemnation of these collective defense organizations.

Why, indeed, should it be that nations should not join together to help each other against what they consider to be a common danger, or in pursuance of what they consider to be a sense of common destiny. Individuals do that. It is considered the appropriate way to get security. And the Charter of the United Nations, to which we have all subscribed, defines that as an inherent right of nations.

Why should it be that something which we have all agreed is an inherent right of nations—that is, the right not only of an individual, but the right of collective self defense—why is it that that now comes in for such bitter condemnation, when it is something which, I say, we have all agreed is an inherent right.

It is suggested that these collective defense associations are a cause of increased military expenditures, and in support of that these figures are given showing that in the case of some of our countries our military budgets went up very sharply between the year 1948 and the year 1954. But it should not be forgotten that some things happened during that period other than the formation of collective security associations. There were the events which took place in Czechoslovakia; there was the blockade of Berlin; there was the attack upon the Republic of Korea. Any one who examines history realistically must see that it was such events as these that led to the increase of military budgets, and not the creation of collective security associations.

Indeed, I think it is demonstrable that the military budgets of each of the Western Powers would have gone up much more sharply than they did were it not for the fact that because of collective security we thought that we could help each other out and, therefore, did not need, in each individual nation, as large a military budget as would have been felt necessary had we stood alone.

Mr. Molotov has said, and said with some reason, that security pacts of themselves do not necessarily provide adequate security and I think he put the question How do we get security? Well, I think that the way to get security is to try to end some of the injustices which prevail in the world and which sometimes drive people into acts of violence which otherwise they would not commit. One of those injustices and one, the responsibility for which we here are charged with, is the continued division of Germany. Because it was recognized that that was a dangerous situation, a wrong situation, a situation which created insecurity, we were charged here to deal with the two problems inseparably or closely linked, that is, the problem of reunification of Germany and European Security. It is stated in that order in the directive.

And it is further said in the directive that the successful settlement of each of these problems would serve the interests of consolidating

peace; in other words, that the reunification of Germany is one of the problems, a settlement of which will serve to consolidate peace.

We have come here with proposals to deal with each of these two problems, the solution of which would serve the interests of consolidating peace. We have put on the table yesterday, through President Pinay, the proposal for the unification of Germany, which reflects in essence the Eden Plan which was put forward at our Berlin Conference, and the new proposals to give security assurance in connection with the reunification of Germany.

The Eden Plan is, as I say, one with which we are all familiar; and it is reintroduced now, substantially in its initial form, because it is based upon principles which are basic and sound and which reflect the directive that we should seek a "settlement of the German question and the reunification of Germany by means of free elections carried out in conformity with the national interests of the German people."

The suggested treaty of assurance on the reunification of Germany is new and it represents an honest, sincere, painstaking effort to carry out the directive in that respect and to meet what we recognize to be the legitimate preoccupations of the Soviet Union and, indeed, of all of us, as against the possibility that Germany might again become a militaristic state. The proponents include all of the features which we were instructed to consider: provisions for an obligation not to resort to force, that is one; provision to deny assistance to an aggressor, that is another; limitation, control and inspection in regard to armed forces and armaments, that is another; the establishment between East and West of a zone in which the disposition of forces will be subject to mutual agreement. All of those aspects which we were instructed to consider are realistically incorporated in the outline of a treaty which has been submitted by the three Western Powers.

And in addition to the features which we were instructed to consider the proposal contains under the paragraph numbered 8 a suggested agreement to react against aggression which involves undertakings of the utmost gravity and which for the United States would constitute an extremely serious and far-reaching commitment having regard to our traditional attitude toward these matters and to our geographical separation from the European continent. It is, however, something that I believe the United States would be prepared to do as a part of a contribution to bring about the increased security for all which would come with the reunification of Germany.

I was very glad to hear Mr. Molotov say that he would study these proposals more carefully, because it is quite obvious that his initial reaction is based upon an inadequate understanding of the document. As I understood Mr. Molotov, his basic objections to the proposal, as he understood the proposal, were in essence two: One to the effect that the proposal required Germany to become a party to NATO and the other was that the sanctions of the treaty were mere "consultations."

Dealing with the first point, let me say that there is nothing whatsoever in the treaty proposal which conflicts with the provision of the Eden Plan that the all German Government shall have authority to assume or reject the international rights and obligations of the Federal Republic and the Soviet Zone of Germany. Let me make it perfectly clear and emphatic. There is nothing whatsoever in the treaty

proposal which requires Germany to become a member of NATO. It is recognized that a reunified Germany will be free to accept or to reject existing obligations with reference either to NATO, to Brussels, or to Warsaw. That is a complete freedom, and nothing in our proposals is in any way contrary to that.

With respect to the sanctions in the treaty, these are more far-reaching than any which have ever been known before in the course of international relations, covering practically every aspect which is subject to control, not only in terms of engagements, pledges, which are most serious, but also including physical arrangements in the way of inspection, controls, assurances regarding the level of forces, and the like. As I say, they go far beyond anything that history has ever before known, and surely it is not to be said that there is nothing in this proposal except mere "consultations".

So I very much hope that this proposal, which tries so seriously and conscientiously to give real substance to our directive, will receive the careful consideration which I know it deserves. And I am confident that with that consideration the provisional and superficial views that have been expressed here will be revised. Of course, all of this proposal is subject to the reunification of Germany, and at least one of the provisions of the treaty operates, as far as the United States and the other powers here are concerned, only if the reunified Germany joins NATO; that is, Article 8, because Article 8 deals in effect with a guarantee by the NATO members that no one of their own membership will commit aggression. We can give such assurance as regards our own group, but if a reunified Germany joins the Warsaw Treaty, then it would not be for us to give assurances that Germany will not commit aggression.

We shall, of course, examine carefully the proposal which the Soviet Delegation has submitted. In looking at it in the few minutes that has been available, I think it will be found that some at least of the provisions of our proposal coincide with the proposals of the Soviet Delegation. There is, however, one basic difference of approach, which is that we have submitted together proposals dealing with what our directive says are the two closely-linked problems; namely, the problem of the reunification of Germany, and the problem of European security.

The proposal of the Soviet Delegation, so far as I can see, is in no way connected with the reunification of Germany, and, therefore, it would be difficult for us to consider it until we see the proposal which the Soviet Delegation says it intends to submit for the reunification of Germany. When we see the two together then we shall be able to appreciate them better than by only seeing the first proposal without the other half; namely, the reunification of Germany.

In conclusion, let me beg the Soviet Delegation to believe that the treaty proposal that has been made here represents a serious and, I would say, indeed, a momentous and historic proposal designed to meet, as fully as human ingenuity can meet it, the problem of permitting the reunification of Germany to occur under conditions which will assure that whichever election Germany makes, in terms of its future associations or lack of associations, there will be assurance to us all against something which we are all entitled to dread and fear; that is, the possibility that Germany might again become a militaristic State.

*Statement at Geneva by Secretary of State Dulles, on Germany and European Security, October 29, 1955.<sup>1</sup>*

Mr. Chairman, I feel that we have made considerable progress during the two days of conference which we have so far had—two days of discussion of our proposals—and that the last statement made by Mr. Molotov poses the question, a very proper one at this stage, as to how do we really make progress from now on.

We are not here to engage in polemics, and to show how smart we are, either as lawyers or as diplomats. We are here on a very serious task. And, in that spirit, I would like to say this: I think that the three Western Powers in their proposals have gone very far in presenting the position which their governments hold, on both the subject of the reunification of Germany and on the subject of security, and, while I do not suggest that those proposals are by any means complete, they do, I think, constitute a very full exposition of the point of view of our three governments.

I think that most of the questions which Mr. Molotov has put, either yesterday or today, have been answered as adequately as is appropriate to answer them at the present stage of our debate. When we get down to discussing the detailed elaboration of a security treaty, a treaty of assurance, along the lines we have proposed, then it will naturally be appropriate to have further more detailed exchanges of views as to just how certain articles should be drafted.

It seems to me that the important thing at this stage is to know the position of the Soviet Union with reference to the reunification of Germany. It is quite true that our proposals start from the premise that Germany will be reunified and the assurances which we have suggested are assurances which depend basically, not upon Germany's entry into N A T O. but they do depend basically upon the reunification of Germany.

We do not yet know the position of the Soviet Union on the question of the reunification of Germany and while we know that the head of the Soviet Government agreed in the directive that Germany should be reunified through free elections, we do not know just what proposals the Soviet Union will now make to give effect to that provision of the directive.

Mr. Molotov says that he has a proposal to make in that respect and it seems to me that from the standpoint of making progress it would be very useful if Mr. Molotov could let us see what that proposal is.

There is, I know, a difference of opinion between us as to the relative order of importance of European security and the reunification of Germany but there can be no difference between us on the proposition that there is a close link between the two, because that has already been decided for us by our superiors.

There are, one might say, two sides of a single coin, one side of which is European security and the other side of which is German reunification. We have tried to present our view as to the pattern of both sides of the coin, the pattern of European security, the pattern of German reunification. As far as the Soviet Union is concerned only one side of the coin is as yet visible, that is, the one that has the pat-

<sup>1</sup> *JMD.*, pp. 72-74.

tern of European security. I think, in order that we can really proceed in a businesslike way, which I know we all want, that it would be extremely useful if the Soviet Union would show us the other side of its coin, the one that has the pattern of German reunification. Then we can see whether there is a basis of agreement there. Because in our case, it has been made clear, German reunification is the premise of our proposed security treaty.

If we cannot reach agreement about the reunification of Germany, then obviously our security proposals are irrelevant because they are predicated upon the reunification of Germany, and in that case it is academic to attempt to elaborate proposals because the foundation may not exist. But if, as I hope, a foundation exists in our being able to find agreement about the reunification of Germany, then the hypothetical questions which have been put can be developed because we will know on what premise it is permissible to proceed.

*Statement at Geneva by Foreign Minister Molotov and Revised Soviet Draft Treaty on Security in Europe, October 31, 1955<sup>1</sup>*

Mr. Chairman, we have had an exchange of opinions on the proposal by the Soviet Union on the establishment of a system of collective security in Europe as well as on the relevant proposal by France, Great Britain and the USA. This exchange has shown that the necessary agreement among the members of the Meeting on such an important problem as that of ensuring security in Europe is still lacking. Though all members of the Meeting stated their desire to seek agreed ways to solve this problem, the difference in the approach to its solution has nevertheless become evident.

The Soviet Government is of the opinion, as it was heretofore, that the interests of improvement of peace in Europe are best satisfied by the establishment of such a system of security in Europe, in which all those European states that wish to participate in it, irrespective of their social and state order, including the United States of America, would participate.

The USSR Government is convinced that it is this path, the path of joint efforts of European states, instead of the preservation of military groupings, that is capable of ensuring stable guarantees for the peaceful development of European nations.

In spite of the fact that we have not yet reached the necessary agreement among us on this point, the Soviet Delegation holds that possibilities of achieving positive results on European security at our Meeting are not exhausted.

The Soviet Delegation proposes to discuss the possibility of concluding a security treaty for Europe with the participation, in the first instance, of a more limited group of the states concerned. It is known that the Directives agreed upon by the Heads of Government instruct us to consider various proposals aimed at achieving European security, including a security pact both for Europe and "for a part of Europe". In raising this question, the Soviet Government takes account of those constructive suggestions that were made at the Geneva Conference of the Heads of Government, in particular by Sir

<sup>1</sup> *Ibid.*, pp. 76-82.

Anthony Eden, Prime Minister of Great Britain. We also take into account the proposals by the three powers submitted at this Meeting.

As to the group of states-parties to such a treaty on security in Europe, we propose that it be comprised of the four powers—the USSR, the USA, France and Great Britain, as well as all other parties to both the Western European Union and the Warsaw Treaty, including the German Federal Republic and the German Democratic Republic.

The Soviet Government also agrees to having as participants in the agreement other European states that wish to join it, such as Yugoslavia and Denmark.

Naturally, the question arises as to the nature of the obligations which might be assumed by the States-parties to the treaty on security in Europe. In our opinion, the major obligations assumed by these states should be the following:

- a) To undertake not to use armed force against one another and to settle any dispute that may arise among them by peaceful means;
- b) To render each other mutual assistance, including military assistance, in case any of the parties to the treaty is subjected to attack in Europe;
- c) To hold mutual consultations of the parties to the treaty in connection both with the obligations provided for in paragraph "a" and the obligations provided for in paragraph "b".
- d) To establish, by special agreement of the participants of the treaty, a body (or bodies) for the purpose of holding the above-mentioned consultations and also of taking such other steps as may be found necessary in connection with the fulfillment by the states of their undertakings under the present treaty.

In submitting this proposal the Soviet Government proceeds, of course, from the premise that afterwards the existing treaties and agreements (North Atlantic bloc, Western European Union, the Warsaw Treaty) shall become ineffective and the military groupings based on them shall be liquidated. Nevertheless, the Soviet Government at present does not propose in connection with the present proposal on the treaty of security in Europe any concrete time limit for this treaty and its replacement by the All-European Treaty. We find it possible to limit ourselves to a stipulation in the treaty that it remain in force until it is replaced by another broader treaty on European security which will provide for the replacement of the existing treaties and agreements.

The Soviet Government proceeds also from the premise that the conclusion of the treaty should not affect the obligations of the states parties to it assumed by them under the existing treaties and agreements, which point should be directly stipulated in the text of the treaty.

The same should be said with regard to the right of the states to individual and collective self-defence provided for in Article 51 of the UN Charter in the event of an armed attack. This right should not be prejudiced by the assumption by the states of the obligations under the treaty on European security.

The Soviet Union when considering European security raises the question not only of its own security and not only of the security of states represented at this Meeting. In manifesting legitimate con-

cern for ensuring its own security, the Soviet Union cannot fail to consider this question in connection with the problem of the security of those European states which suffered very severely from German aggression. These countries, naturally, show concern about their security in connection with the plans to resurrect German militarism and in connection with the existence of military groupings with the participation in them of Western Germany and later of a unified Germany. In considering the question of European security, we cannot help thinking of the security of such states as Poland, Czechoslovakia, Yugoslavia, Greece and other European states whose people suffered so many hardships as a result of Hitlerite invasion.

It is conspicuous that the draft treaty on "Special guarantees in connection with the reunification of Germany" does not say anything as to whether this treaty provides for the security, for instance, of the states bordering on Germany. Yet this problem cannot be ignored when we speak of European security. It is desirable to have the necessary elucidation on this point.

In accordance with what has been said, the Soviet Delegation submits for consideration by the Meeting the draft treaty on European security, the text of which reads as follows:

#### "DRAFT TREATY ON SECURITY IN EUROPE

"Inspired by the desire to strengthen peace and recognizing the necessity to contribute in every possible way to reducing international tension and establishing confidence in relations between states,

"Guided by the peaceful purposes and principles of the United Nations,

"The Governments

have agreed to conclude the present Treaty.

"The States-parties to the Treaty solemnly declare that they assume the following obligations:

#### *Article 1*

"The contracting parties undertake not to use armed force against one another and also to refrain from having recourse to the threat of force in their relations with each other and to settle any dispute that may arise among them by peaceful means.

#### *Article 2*

"In the event that any one or several States-parties to the Treaty is subjected to an armed attack in Europe by any state or group of states, the other States-parties to the Treaty shall immediately render the state or states so attacked all such assistance, including military assistance, as may be deemed necessary for the purpose of re-establishing and maintaining international peace and security in Europe.

#### *Article 3*

"The States-parties to the Treaty undertake to refrain from rendering under any pretext any direct or indirect assistance to the attacking state in Europe.

*Article 4*

"The States-parties to the Treaty shall consult one another whenever, in the view of any one of them, there arises a threat of an armed attack in Europe against one or more of the States-parties to the Treaty, in order to take effective steps to remove any such threat. They shall immediately conduct the necessary consultations whenever agreed steps may be required for the reestablishment of peace, in the event of an attack on any State-party to the Treaty.

*Article 5*

"The signatory states shall establish, by common consent, a special body (or bodies) for the purpose of holding the above-mentioned consultations and also for taking such other steps to assure security as may be found necessary in connection with the fulfilment by the states of their obligations under the present Treaty.

*Article 6*

"The States-parties to the Treaty agree that obligations under the present Treaty shall not infringe upon the obligations assumed by them under existing treaties and agreements.

*Article 7*

"The assumption by states of obligations under the present Treaty shall not prejudice the right of the States-parties to the Treaty to individual or collective self-defense in the event of an armed attack, as provided for in Article 51 of the United Nations Charter.

*Article 8*

"The Treaty is of a provisional character and shall remain in effect until replaced by another, more extensive Treaty on European security which shall replace the existing treaties and agreements."

At the same time, the Soviet Delegation would like to present another question having a direct bearing on the problem of ensuring European security.

It is a known fact that at the Geneva Conference of the Heads of Government, considerations were expressed, especially by Prime Minister Eden of the United Kingdom, on the expediency of creating in Europe a special zone for limiting and inspecting armaments. It is also a known fact that President N. A. Bulganin of the Council of Ministers of the USSR was favorably impressed with the considerations expressed by Mr. Eden.

We all remember that in the directives of the Heads of Government mention was also made of the "creation of a zone between East and West in which the disposition of armed forces shall be arranged by mutual agreement." This wording concerning "the creation of a zone between East and West" corresponds to the proposal made by Mr. Eden. But if we speak of creating a zone "between East and West" then obviously we must keep in mind the fact that the line between East and West runs exactly where it does. In the meantime, in the

draft of the three Ministers, something quite different is stated concerning the zone. In this draft mention is made of a zone "along both sides of the demarcation line between a reunited Germany and Eastern Europe." Such a proposal does not correspond to the directives of the Heads of Government concerning the zone "between East and West" and does not correspond to what everybody knows to be the actual state of affairs. It is absolutely obvious that we cannot disregard this.

The Soviet Government has carefully studied all proposals and considerations relative to the zone and has come to the conclusion that this question deserves serious attention and that we must try to reconcile our positions with regard to this problem, all the more so since on a number of points they have much in common.

In expressing a desire to approach Mr. Eden's proposal favorably, in accordance with the directives of the Heads of Government of the Four Powers, we would propose to come to an agreement on the following:

1. The zone of limitation and inspection of armaments in Europe must include the territory of the German Federal Republic, of the German Democratic Republic, and of states bordering on them, or at least certain ones of them.

2. The agreement on the zone shall envisage the maximum levels for the number of troops of the USA, the USSR, the United Kingdom and France stationed within the territory of other states in this zone. The question of such limitation must be the subject of further consideration.

3. Obligations pertaining to the limitation of armaments and their control assumed by states under the respective agreement shall be subject to agreement with such states, which shall be free in making decisions on this matter in accordance with their sovereign rights.

4. Joint inspections shall be established over the armed forces and armaments of the States-parties to the agreements for the fulfilment of obligations on the limitation of armaments within territories of the zone. If understanding on this subject is reached among us, and with other states subsequently, it would be of great importance for the consolidation of peace and would contribute to lessening tension in Europe. Furthermore, the reaching of such an agreement would facilitate the possibility of solving the problem of disarmament, since the example of a given region in Europe would indicate the possibility of applying such disarmament measures as would in the future be carried out on a wider scale.

The Delegation of the USSR would like to express the hope that these new proposals of the Soviet Government prepared, as we have already indicated, with consideration of the respective proposals of the other participants of this Meeting, will serve as a suitable basis for the rapprochement of our positions and will facilitate the reaching of the necessary agreement between the Four Powers on the important problem of ensuring European security.

*Soviet Proposal for Establishment of an All-German Council,  
November 2, 1955<sup>1</sup>*

## ESTABLISHMENT OF AN ALL-GERMAN COUNCIL

Guided by the desire to further the development of full cooperation between the German Democratic Republic and the German Federal Republic and the creation of conditions for the settlement of the German problem and for the reunification of Germany by means of free elections in conformity with the national interests of the German people and the interests of European security, the Foreign Ministers of the U.S.S.R., the U.S.A., and the United Kingdom and France declare the following:

Under the present conditions when the German people are deprived of the possibility of living in a united state, the need to bring about cooperation between the G.D.R. and the G.F.R. which would facilitate the settlement of the problem of Germany's national reunification, is becoming ever more urgent. That purpose would be met by the establishment by agreement between the German Democratic Republic and the German Federal Republic of an all-German body to coordinate their efforts in the political, economic and cultural life of the German people and also to cooperate with other states in the consolidation of peace.

Such a representative body of the German people could be an All German Council to be established on the basis of the following principles:

1. An All-German Council shall be formed, composed of the representatives of the parliaments of the German Democratic Republic and the German Federal Republic, as a consultative body to discuss matters, in the solution of which the German Democratic Republic and the German Federal Republic are interested

2. Mixed committees shall be set up under the All-German Council, composed of representatives of the governments of the German Democratic Republic and the German Federal Republic, on matters relating to economic and cultural ties between the two German states, German currency and intra-German financial transactions, customs, post and telegraph, communications, etc.

3. The All-German Council shall bring about accord on the numerical strength, armaments, and disposition of units required to ensure the defence of the frontiers and territories of the German Democratic Republic and the German Federal Republic.

4. The All-German Council shall bring about accord on matters relating to the participation of the German Democratic Republic and the German Federal Republic in measures designed to consolidate European security and shall consider by mutual agreement questions pertaining to the establishment of prerequisites for the unification of Germany, as a peaceful and democratic state.

The Foreign Ministers of the U.S.S.R., the U.S.A., the United Kingdom and France express the hope that the German Democratic Republic and the German Federal Republic will make the necessary efforts to achieve agreement on the establishment of the All-German Council.

<sup>1</sup> *Ibid.*, pp. 88-89

***Western Proposal for Reunification of Germany by Free Elections, November 4, 1955<sup>1</sup>***

## REUNIFICATION OF GERMANY BY FREE ELECTIONS

On the joint initiative of the Governments of France, the United Kingdom, the United States and the Federal Republic of Germany, the Foreign Ministers of France, the United Kingdom and the U.S. submit the following proposal as the first step in order to carry out the reunification of Germany in freedom in accordance with the Plan presented by the Three Powers on October 28:

### DRAFT DECISION OF THE CONFERENCE

In conformity with the common responsibility of their governments for the settlement of the German question and the reunification of Germany and in compliance with the Directive of their Heads of Government that the settlement of the German question and the reunification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security, the Foreign Ministers of France, the U.K., the U.S.S.R., and the U.S. have agreed as follows:

1. Free and secret elections shall be held throughout Germany during September 1956, for the selection of representatives for an all-German National Assembly to draft a constitution and to form a government thereunder for a reunified Germany.
2. Each of the Four Powers will designate a representative to a Commission to prepare, in consultation with German experts, the electoral law for such elections, including effective provisions for safeguards and supervision to insure the freedom of such elections.
3. The Commission shall undertake its functions promptly and shall submit its report to the Four Powers by January 1956.

***Soviet Proposal on Basic Principles of the Treaty Between the Existing Groups of States in Europe, November 9, 1955<sup>2</sup>***

## BASIC PRINCIPLES OF THE TREATY BETWEEN THE EXISTING GROUPS OF STATES IN EUROPE

Guided by the desire to strengthen peace and recognizing the necessity to contribute in every possible way to reducing international tension and establishing confidence in relations between states,

The Governments of the Soviet Union, the United States of America, France, and the United Kingdom have agreed that the conclusion of a treaty between the member states of the North Atlantic Treaty Organization and the Western European Union on the one hand, and the parties to the Warsaw Treaty on the other, would be in the

<sup>1</sup> *Ibid.*, pp. 136-137. Tripartite proposal submitted by the United States.  
<sup>2</sup> *Ibid.*, p. 168.

interest of the maintenance of peace in Europe. Such a treaty might be based on the following principles:

1. The member states of the North Atlantic Treaty Organization and of the Paris Agreements, on the one hand, and the parties to the Warsaw Treaty, on the other, undertake to refrain from the use of armed force against one another. This undertaking shall not infringe upon the right of states to individual or collective self-defense in the event of an armed attack, as provided in Article 51 of the UN Charter.

2. The parties to the Treaty undertake to consult one another in the event of differences and disputes which might constitute a threat to the maintenance of peace in Europe.

3. This Treaty is of a provisional nature and shall remain in effect until it is replaced by another treaty for the establishment of a system of collective security in Europe.

*Report by Secretary of State Dulles on the Geneva Foreign Ministers Meeting, November 18, 1955<sup>1</sup>*

For the last three weeks the British, the French and ourselves have been negotiating with the Russians at Geneva. I got back yesterday and reported fully to the President in a talk which began last evening and was resumed this morning. Now I am reporting to you, the American people.

As I expect most of you know, this Geneva meeting did not reach any agreements. As a result, many questions are in the air.

Does this mean that the so-called "spirit of Geneva" is dead?

Does it mean that the risk of war has increased?

Will the so-called "cold war" be resumed in full vigor?

Will the United States now have to change basically its military and mutual security programs?

Does it mean an end to negotiating with the Soviet Union?

I shall try to answer all of these questions.

First of all, however, I would like to recall how this latest Geneva Conference came about.

I go back to last spring. Until then Soviet Russia had been pursuing a menacing policy. That was Stalin's line. He believed it was possible to ride roughshod over the free nations.

After Stalin died, that effort continued for a time. The Soviets made intense and blustering efforts to keep West Germany apart from the other Western European nations. Despite this, the Federal Republic of Germany last May joined NATO and the Brussels Treaty creating Western European Union.

This Soviet failure was followed by a change in the Soviet demeanor. Stalin's successors professed, at least superficially, to desire cooperative relations with the free nations. And they made important concessions for this purpose.

For example, they had for eight years refused to sign the Treaty which would give Austria her freedom. But last May they signed that Treaty and pulled the Red Army out of Austria.

<sup>1</sup> *Ibid.*, pp. 1-8. Delivered over radio and television

They made their peace with Tito, who for seven years had been the object of their most bitter attacks because he had taken Yugoslavia out of the Soviet bloc.

They moderated their propaganda and their manners.

They made it clear that they would like to sit down and talk with the Western nations.

The United States responded, as it always will respond, to any prospect, however slight, of making peace more just and durable. That response was backed up with virtual unanimity and on a bipartisan basis. So, the United States joined with Britain and France to invite the Soviet leaders to the "Summit" Conference at Geneva. There President Eisenhower met for six days with the Heads of the other three Governments, in an effort to create a better atmosphere and a new impulse toward the solution of the problems that divide us.

That meeting indicated a desire on all sides to end the bitterness and harshness which could generate war. War, all recognized, would be a common disaster.

In addition, the Heads of Government agreed that their Foreign Ministers should get together in October to negotiate about European security and the problem of Germany, about the limitation of armament and about the reduction of barriers between the Soviet bloc and the free world.

The three Western leaders recognized that the value of the "Summit" Conference would be largely determined by subsequent results. Thus, President Eisenhower, in the closing speech of the Conference, said, "Only history will tell the true worth and real values of our session together. The follow-through from this beginning by our respective Governments will be decisive in the measure of this Conference."

Following the Summit Conference the United States, in cooperation with Britain, France and the Federal Republic of Germany, prepared thoroughly for this Foreign Ministers Conference that was to come.

We were fully aware of the complexity of the problems which we faced. The Summit Conference had shown deep differences on the issues of German unity and European security, disarmament and free contacts. To be acceptable, solutions of these problems must take account of legitimate interests on both sides—especially as to security.

Our preparations for the meeting recognized this basic fact. The Western proposals provided the basis for real negotiations with the Soviet Union.

In my initial statement to the Conference, I expressed the point of view I have just outlined. "The United States", I said, came "to this meeting dedicated to exploring patiently and sincerely all possible approaches to realistic solutions of these problems".

Despite the effort, no specific agreements were reached.

The explanation, as I see it, is this: the Soviet Union appears to want certain results in terms of European security, disarmament and contacts of a sort. But it is not yet willing to pay the price needed to get these results. And when I say pay the price, I do not refer to bargaining terms. I mean the price in terms of doing what is inherently necessary to reach the results which we all say we want.

Let me illustrate what I mean by telling you what happened at the Conference.

## II

First of all, we talked about European security and Germany. The Soviet Union wanted security against the possible resurgence of German militarism. This was not unreasonable in the light of what the Russians had suffered from the German armies during World War II. The Western Powers were indeed prepared to meet the Soviet Union in this matter.

We made security proposals of a serious and far reaching nature. Perhaps the best proof of their merit is the fact that the Soviet Delegation later came up with security proposals which copied many features of our own.

But there was one basic and decisive difference. Our proposals were based upon the reunification of Germany. We do not believe that solid peace in Europe can be based on the injustice of a divided Germany. The Soviet proposals were based on preserving the Soviet puppet regime in East Germany and the indefinite division of Germany, at least unless Soviet control could be extended to all Germany.

The Soviet Union at the Summit Conference had explicitly promised to consider the reunification of Germany by free elections and had explicitly recognized the close link between the reunification of Germany and European security.

We tried hard, but in vain, to get the Soviet Delegation to discuss seriously the problem of the reunification of Germany.

When the Soviet Union came to face up to what that involved, it balked. Obviously, if Germany were reunified by free elections this would mean the end of the puppet regime which the Soviet Union has installed in East Germany. This in turn would almost surely have serious repercussions upon the other satellite countries of Eastern Europe. There the Soviet controlled governments are facing rising pressure. Many within the satellite countries believe that the "spirit of Geneva" means that they are entitled to more tolerance and to governments more responsive to the needs and aspirations of their own nation[s].

So the Soviet Union took the position that while they were eager to get a treaty of European security they would not be willing to sacrifice their East German regime to get it. Despite what they had agreed to at the Summit Conference, they declared they would preserve their regime in East Germany, in clear defiance of the ardent wishes of the East Germans themselves.

Some had thought that the Soviet Union might be willing to allow Germany to be reunified by free elections if reunified Germany would not enter the North Atlantic Treaty Organization. But in fact the Soviet Delegation made it abundantly clear that it would not permit Germany to be reunified by free election[s] even on such terms.

So we see that although the Soviet Union doubtless wants a European security system to which it is a party, it is not willing to provide an essential prerequisite, namely the reunification of Germany in freedom.

## II

The second problem that we had to discuss was that of limitation of armament. Primary responsibility in this field is now with

the United Nations Disarmament Subcommittee. But the Foreign Ministers were directed to help if they could.

Both sides showed an eager desire to bring about limitation of armament. We want this both as an aid to peace and to permit economic resources to be devoted in greater measure to the benefit of mankind. But the Western nations are unwilling to agree to disarm unless we can be sure that both sides are carrying out the agreement. That is why we insist that disarmament be effectively supervised and controlled.

Three times in this century the United States experience has shown that one-sided weakness in disarmament does not in fact preserve peace. The United States does not intend now to risk its very existence upon promises which may not be kept.

The United States is, however, second to none in its desire for safeguarded reduction of armaments. It was to make that more possible that President Eisenhower, at the Summit Conference, proposed to the Soviet Union an exchange of blueprints of military establishments, and then aerial inspection to verify the blueprints and thereby improve the atmosphere by dispelling the fear of aggressive intentions on either side. That concept of President Eisenhower was rejected by the Soviets, although they did recognize for the first time that aerial inspection had a proper place in a control system.

But the Soviet Union does not attach the importance which we do to inspection and control. It continued to urge agreements, even though there was no way to check adequately whether these agreements were being fulfilled.

So our discussion of disarmament was inconclusive. We left further development of the subject to the United Nations Subcommittee on Disarmament.

It seems that the Soviet Government feels as yet unable to allow inspection and control which, if it is adequate, would open up their society, which is still largely based on secretiveness. So the Soviet Union, while wanting the immense benefits that could come from reduction of armament, is not willing to submit itself to the safeguards which would make this possible.

### III

The third and final item of our Agenda was the development of contacts between the East and the West. The Western Powers put forward 17 proposals of a concrete nature. Many of these would have involved the freer exchange of ideas, information, and news. All such proposals the Soviet Delegation rejected. It was willing to have contacts which would enable it to garner technical knowhow from other countries. It was willing to send and receive persons under conditions which it could closely control. But it reacted violently against anything that smacked of the elimination of barriers to a freer exchange of ideas. It abhorred the introduction into the Soviet bloc of thoughts which might be contrary to the official doctrine of the Soviet Communist Party.

So we reached no agreement on this topic.

The reason again is clear. We believe that human contacts are designed, not to serve governmental purposes, but to enable the members of the human family to have the understanding and knowledge

of each other which is a foundation for durable peace. But after a generation of fanatic indoctrination, the Soviet rulers can hardly bring themselves to loosen their existing thought controls to permit of freer contacts with the free world.

#### IV

On all these matters dealt with at Geneva we tried to negotiate seriously with the Soviet Union. We wanted to reach constructive agreements if that could be done. But we were not prepared to reach agreements at the expense of the aspirations or security of the United States or its partners. Neither were we willing to make so-called "agreements" which were really meaningless. So when the Soviet Union showed itself unwilling to negotiate seriously on this basis we came away without agreement.

It would have been easy to make some apparent agreements with the Soviet Union, but they would have been without real content. They would have given an illusion of a meeting of minds, where none in fact existed. The three Western powers stood steadfastly against that kind of a performance. In doing so, they showed their confidence in their own strength and in the steadfastness of their own people. Thereby, this Conference may have improved the prospects for real agreements in the future.

#### V

I now turn to the answers to the questions which I put at the beginning:

(1) Does this second Geneva Conference end the so-called "spirit of Geneva"?

The answer to that question depends upon what is meant by the "spirit of Geneva". Some felt that the spirit of Geneva was some magic elixir which would of itself solve all of the great problems of the world. Obviously, it was not that. Any such view was doomed to disillusionment.

That was never the view of the President nor myself. We constantly warned against that view. President Eisenhower, before he went to Geneva, said that that Conference would be a beginning and not an end. At Geneva he said that the value of the Conference could only be judged by what happened afterwards. And after he returned he told the American people that the acid test of the Summit Conference would begin when the Foreign Ministers met.

That testing, so far as it has gone, has shown that the Soviet leaders would like to have at least the appearance of cooperative relations with the Western nations. But it has shown that they are not yet willing to create the indispensable conditions for a secure peace. Also they have seriously set back the growth of any confidence the free world can justifiably place in Soviet promises. They did this by refusing to negotiate for the reunification of Germany, to which they had agreed in July.

However, they seem not to want to revert to the earlier reliance on threats and invective. In that respect the spirit of Geneva still survives.

(2) Has the outcome of the second Conference at Geneva increased the risk of general war?

President Eisenhower said that he believed that the Summit Conference made it less likely that there would be open war between our countries. Nothing that happened at the Foreign Ministers Conference requires a change in that estimate. So that aspect of the Geneva spirit also remains.

(3) Do the events of the last three weeks mean that the cold war will be resumed in its full vigor?

The phrase "cold war" is a loose one.

Of course, there are sharp differences between the objectives of the Soviet Government and our own. We believe in justice for all and in the right of nations to be free and the right of individuals to exercise their God-given capacity to think and to believe in accordance with the dictates of their mind and conscience. We shall not cease to pursue these objectives or ever seek a so-called peace which compromises them.

However, these great purposes which have been characteristic of our nation from its beginning can be and will be pursued by us without resort to violence or without resort to the use of hatred and perversion of truth which are characteristic of war. It is our purpose to continue to seek friendship and understanding with the Russian people as a whole and to use truth as the instrument of our national policy.

The "cold war" in the sense of peaceful competition will inevitably go on. The spirit of Geneva could not and did not change that fact. Moreover, we must assume that the Soviet Union will continue its efforts by means short of war to make its system prevail as it has done in the past. We can, however, hope that this competition will not entail all the same hostility and animosity which so defiled the relations between us in the past.

(4) Will the United States now have radically to revise its programs for defense and mutual security?

The answer to this is "no". We have not lowered our guard on the basis of Soviet promises and did not do so because of the Summit Conference. Our security programs, which are bi-partisan in character, are designed to meet the peril as long as it may continue. We are on what we call a long haul basis. Our military strength must be based on the capability of the Soviet bloc and cannot vary with their smiles or frowns. We will reduce our own military strength only as the Soviets demonstrably reduce their own. Hence the outcome of the Geneva Conference does not require us to alter the general scope of our programs. Their general order of magnitude can remain as planned.

Our steady policies have proved their worth. We believe in holding fast and reinforcing that which has proved good.

(5) Does this last Geneva Conference mean an end to future negotiation with the Soviet Union?

It need not be an end and neither the President nor I believe that it will be an end. It would of course be foolish to attempt new negotiations if everything remains as it was when this last Conference came to an end.

We know, however, that conditions will change because change is the law of life.

At this Geneva Conference the Soviet Union had to face up concretely to the cost of achieving the larger results which it says it wants in terms of European security, disarmament, and increased contacts between East and West.

On this occasion no positive results were achieved. But I recall that President Eisenhower, after returning from Geneva, said that he was "profoundly impressed with the need for all of us to avoid discouragement merely because our own proposals, our own approaches, and our own beliefs are not always immediately accepted by the other side". And he pointed to the difficulty of bridging the wide and deep gulf between individual liberty and regimentation and between the concept of man made in the image of God, and the concept of man as the mere instrument of the State.

That gulf has created obstacles so great that they could not be overcome at this recent Geneva Conference.

That does not mean that our efforts at that Conference were wasted. The proposals we advanced were basically sound and respected the legitimate interest of all. When solutions come, they will have to take into account the principles which we sought to apply.

The Soviets pride themselves on being realists. They have shown in the past that they will adapt their policies to facts and realities once they recognize them. We believe that the free nations, by maintaining and strengthening their unity, can make it apparent to the Soviet Union that solutions such as we proposed are in its real interest and will benefit them more than the local and temporary advantages to which they now seem to attach overriding importance.

Of course the Soviets will not change their policies if they believe that the free world is going to fall apart. That is why continuation of the present partnership of the independent nations is indispensable to a peaceful solution of present problems.

It is vital that all free nations, including ourselves, clearly understand this basic truth.

I am happy to be able to make a good report about this partnership. In Paris, before the Geneva Conference, we had a useful session of the NATO council. It was attended by virtually all of the Foreign Ministers of the 15 member countries. It served further to cement the unity represented by the Council.

While in Europe I also consulted with leaders of the movement to develop still further the unity of Europe. This movement is again becoming vigorous. In my talks, I made clear that the initiative for further steps toward European integration must come from the Europeans themselves but that the United States stands ready and eager to help to realize this great idea.

I went to Spain, Italy and Yugoslavia. In each place I had a full and helpful discussion of the international scene. The result was, I think, to create better understanding and firmer ties of friendship.

Finally, a most important fact is that at the Geneva Conference there were the closest personal and working relations between the British Foreign Minister, Mr Macmillan[,] and the French Foreign Minister, Mr Pinay, and myself. We also worked closely with the representatives of the Federal Republic of Germany in matters that concerned it.

This spirit of fellowship, which fortified our common effort in a common cause, is one of the important products of the Geneva Conference.

The statement which I make to you tonight follows extended conference with President Eisenhower. He authorizes me to say that he fully shares the evaluation which I have made of the Geneva Conference and of its impact upon our national policies. That evaluation stems from the President's ruling and life purpose for a fair, just and durable peace for the world, a purpose which I share and which, with him, I strive to implement.

And now, in closing, let me read from my verbatim notes of our conference at Gettysburg this morning. As I was leaving, the President turned to me and said:

"I know that no setback, no obstacle to progress will ever deter this government and our people from the great effort to establish a just and durable peace. Success may be long in coming, but there is no temporal force so capable of helping achieve it as the strength, the might, the spirit of 165 million free Americans. In striving toward this shining goal, this country will never admit defeat."

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*Note from the American Ambassador at Bonn (Conant) to the Soviet Ambassador at Berlin (Pushkin), protesting the Para-military Units (Kampfgruppen) in East Berlin, February 10, 1958.<sup>1</sup>*

I am instructed to inform you of the growing concern of my Government over the development in recent months of para-military activities in the Soviet Sector of Berlin. These activities assumed an ominous form when some thousands of civilians, armed with machine pistols and other weapons, marched through East Berlin in a demonstration on January 15. We note that this demonstration even included the participation of young boys and girls carrying firearms.

The formation of para-military groups and their employment in provocative displays have serious implications which my Government cannot ignore. Their continued activity can only create unrest among the population and result in a heightening of international tension in the Berlin area.

Such activity could have the gravest consequences. As your Government is aware, the United States, in common with the United Kingdom and France, has formally undertaken to defend the safety and welfare of the populations in their sectors against attack from any quarter. The United States cannot recognize any waiver of responsibility by the Soviet Government for acts which could lead to any such attack.

As you are aware, the bearing of arms by members of the general public is prohibited by a body of quadripartite legislation to which the British, French and United States commandants attach great importance and which they have been careful to observe in their sectors. My Government hopes that the Soviet Government as the responsible authority will prevent the local authorities in the Soviet Sector from creating dangers to the peace of Berlin through the

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<sup>1</sup> Department of State press release 77, February 10, 1958. The British and French Ambassadors delivered similar notes.

sponsorship of activities by armed civilian groups or through other threats directed at the Western Sectors.

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*Letter from Premier Bulganin to President Eisenhower, on Reduction of Foreign Forces in Germany, June 6, 1956<sup>1</sup>*

[Extract]

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Guided by the high aims of strengthening peace among peoples, the Soviet Government decided to take the initiative and, without waiting for a disarmament agreement, make a large cut in the armed forces of the Soviet Union, amounting to 1,200,000 men, this in addition to the 1955 cut of 640,000 men. The armaments and combat materiel of the armed forces of the U.S.S.R., as well as the military expenditures of the Soviet Union in the U.S.S.R. state budget, will be cut accordingly.

In line with this decision, 63 divisions and separate brigades are being demobilized, including three air divisions and other combat units numbering over 30,000 men stationed on the territory of the German Democratic Republic. We of course understand that the withdrawal from Germany of the said number of Soviet troops does not solve the question entirely. This measure of the Soviet Government is only the first step. However, we base our thinking on the premise that if the Governments of the United States, England, and France, which have their troops on German territory, would for their part also take steps to reduce their armed forces in Germany, then this would undoubtedly prepare the ground for more decisive steps in this matter. At the same time we have in mind that such measures on the part of the governments of the four powers could later lead to an agreement on a sharp reduction in the foreign armed forces in Germany or the withdrawal of foreign armed forces from German territory.

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*Joint Communiqué on German Question by Chancellor Adenauer and Secretary of State Dulles, June 13, 1956<sup>2</sup>*

The visit of Chancellor Adenauer to Washington has afforded an opportunity for a full exchange of views between him and Secretary of State Dulles. This has permitted the Chancellor and the Secretary of State to undertake a broad review of the world situation and of problems confronting their governments in the international field. The Chancellor was accompanied by State Secretary Hallstein.

Foremost among the matters discussed were the question of German reunification, the most recent events in the Soviet Union, and the further development and strengthening of the Atlantic community.

<sup>1</sup> Department of State Bulletin, August 20, 1956, p. 301. The President replied to this letter on August 4, 1956 (*infra*). Premier Bulganin enclosed a copy of the Soviet statement of May 14, 1956 on the reduction of forces (*ibid*, pp. 301-305).

<sup>2</sup> Department of State press release 322, June 13, 1956.

Secretary of State Dulles and Chancellor Adenauer emphasized German reunification as a major objective of the West and the conviction that the attitude of the West toward the Soviet Union should be determined by the endeavor to promote the reunification of Germany in freedom.

In connection with developments within the Soviet Union, they exchanged views regarding the letters recently addressed to their respective Governments by Chairman Bulganin transmitting the Soviet Government's statement of May 14 regarding its armed forces. They noted that other North Atlantic Governments had received similar communications and they agreed on the desirability of consultation with their NATO partners regarding this development.

They noted that the Soviet Government has professed a desire to find a basis for peaceful co-existence with the nations of the free world. They agreed that one test of the sincerity of this profession will be the willingness of the Soviet Government to respect its international obligations and to refrain from endeavoring to impose its system upon other peoples. They recalled that at Geneva nearly a year ago the heads of government of France, the United Kingdom, the USSR and the United States recognized their common responsibility for the settlement of the German question and the reunification of Germany, and agreed that the reunification of Germany should take place by means of free elections and should be carried out in conformity with the national interest of the German people and the interest of European security. The Chancellor and the Secretary of State considered that, until the Soviet Government had taken action to discharge that responsibility and to put an end to the brutal and unnatural division which it has imposed on Germany, it will be difficult to place credence in promises and pledges of the Soviet Government.

The Chancellor and the Secretary of State reaffirmed the desire of their governments to work out with the Soviet Union and with nations of the North Atlantic area arrangements which would ensure European security in conjunction with the reunification of Germany in freedom.

The Chancellor and the Secretary of State agreed on the importance of the North Atlantic Treaty Organization, which constitutes an essential contribution to the security of the free world. They agreed on the need for strengthening and developing further the relationships among the members of the North Atlantic Treaty and for harmonizing their policies and actions with respect to major problems affecting the treaty objectives. They pledged the support of their governments to the work being carried on in this regard under the decision taken at the recent meeting of the North Atlantic Council at Paris.

The Secretary of State informed the Chancellor of the satisfaction with which the United States Government has learned of the recent Franco-German agreement on the Saar. He expressed also the interest of the United States in the results of the Venice meeting regarding new steps toward European integration and especially in the prospects for the early negotiation and establishment of a European organization with common authority and responsibility in the field of nuclear energy. He indicated that the establishment of such a common organization would make possible a particularly close relationship with the United States in this field. The Secretary also expressed the interest of the United States in the creation of a European union

market and the promise which such a market would hold for the future economic development of Europe.

The Chancellor and the Secretary of State noted with satisfaction the continued development of close relations between Germany and the United States. The Chancellor raised the question of war-vested German assets in the United States. The Secretary of State expressed the hope that there would be early United States legislative action on this subject.

The Secretary expressed the satisfaction of the United States Government with the action just taken by the Federal Republic of Germany to remove quota restrictions on imports from the dollar area, in accordance with the provisions of the General Agreement on Tariffs and Trade. The Chancellor and the Secretary agreed on the importance of the free world continuing to cooperate in measures to expand the flow of trade on a mutually advantageous basis.

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*Message from President Eisenhower to President Heuss, on the  
Third Anniversary of the East German Uprising, June 16,  
1956<sup>1</sup>*

On this day [June 17] which commemorates the spontaneous demand made three years ago for the freedom of the seventeen million German people of the Soviet Zone, I wish to reaffirm the steadfast conviction of my country that the unjust division of Germany will surely come to an end. The Government and people of the United States are deeply dedicated to the causes of liberty and peace. We know that so long as unity in freedom is withheld from the German people by those who seek to impose an alien and totalitarian system on a part of your nation there can be no permanent security in Europe. We know also that these views are shared by our partners in the North Atlantic Treaty.

The ending of the division of Germany is essential to the development of friendly and cooperative relations between the Western nations and the Soviet Union. The way is open insofar as the United States Government is concerned for the Soviet Government to prove that its professed interest in developing such relations is genuine. I am convinced that the Soviet Union will come to recognize that it is in its own interest to negotiate a settlement which respects the right to freedom of the German people and the interests of both East and West, and will join with us in finding a solution to the German problem.

This day you celebrate is I know a day of dedication. I send you my greetings and together with my fellow Americans I look forward to the time when all Germany will at last be unified and free.

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<sup>1</sup> White House news release, June 16, 1956.

*Letter from President Eisenhower to Premier Bulganin, on Reduction of Foreign Forces in Germany, August 4, 1956<sup>1</sup>*

[Extract]

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You refer in your letter [of June 6, 1956] to a possible reduction of our respective forces in Germany. Obviously the problem of forces in Germany cannot be dealt with as an isolated matter. In this respect, I must confess that I am greatly disturbed by the developments which have occurred since we met at Geneva last year. We there agreed that the reunification of Germany was a common responsibility of the four Governments at Geneva, and we also agreed that Germany should be reunified by means of free elections carried out in conformity with the national interests of the German people and the interests of European security.<sup>2</sup> Not only has this not happened, but I hear of statements from your side which seem to imply that your Government is determined to maintain indefinitely the division of Germany.

I must confess that I am perplexed as to how we can work together constructively if agreements which are negotiated at the highest level after the most thorough exploration do not seem dependable.

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*Note from the German Ambassador to the Secretary of State, Transmitting a Memorandum from the Federal Republic of Germany to the Soviet Union, September 2, 1956<sup>3</sup>*

The Heads of Government of the United States of America, France, the United Kingdom, and the Union of Soviet Socialist Republics reached agreement at the first Geneva conference in July 1955 that the settlement of the German question and of the question of reunification should be accomplished by means of free elections, "carried out in conformity with the national interests of the German people and the interests of European security". At the second Geneva conference, in October and November 1955, it unfortunately proved impossible to agree on ways and means of putting this resolution into effect. And now more than half of 1956 has elapsed without any progress having been achieved in this matter.

The German Federal Government feels constrained to call the attention of the Government of the United States of America to the gravity of this fact.

All four Powers have at all times recognized the responsibility incumbent on them with regard to the reestablishment of Germany's unity as one state. This responsibility is not adequately discharged by mere assent to the principle of reunification without any agreements being reached regarding practical ways and means of realizing it.

<sup>1</sup> White House news release, August 7, 1956. See also Premier Bulganin's letter of June 6, 1956, *supra*.

<sup>2</sup> See Geneva Directive of July 23, 1955 (*supra*).

<sup>3</sup> Department of State Bulletin September 24, 1956, pp. 485-486. Ambassador Krekeler handed the note to Secretary Dulles on September 7, 1956, on the same day similar notes were delivered to the British and French Governments, and the memorandum (*infra*) was delivered to the Soviet Government. See also American notes of October 8 to the German Federal Government and of October 10 to the Soviet Government (*infra*).

Quite recently, in his prepared statement of 13 June of this year, the Secretary of State of the United States called German reunification "a major objective of the West" and stressed the conviction "that the attitude of the West toward the Soviet Union should be determined by the endeavor to promote the reunification of Germany in freedom." On 17 June 1956, the President of the United States said in his message to the President of the Federal Republic of Germany, "The ending of the division of Germany is essential to the development of friendly and cooperative relations between the Western nations and the Soviet Union." Finally, the President of the United States, in his letter of 4 August this year to the Soviet Prime Minister, Marshal Bulganin, recalled the agreement reached at Geneva by the Heads of Government on the reunification of Germany and expressed concern that no action had been taken. The Federal Government noted these statements with great satisfaction. It is in complete agreement with them, particularly on the count of German reunification not being merely a question of German national interests but a question of comprehensive and decisive importance to the future relations between West and East and consequently to the maintenance of world peace. The Federal Government sees in those statements an indication of the serious desire of the United States to take practical, effective steps to reestablish the unity of Germany.

Since several attempts to reach an agreement on this matter by means of large conferences have failed, the Federal Government does not consider it expedient to suggest that another conference be convened at the present moment. It is of the opinion that a new conference should be convened only when a well founded prospect has been created through normal diplomatic channels that such a conference may lead to success.

The Federal Government urgently appeals to the Government of the United States of America to resume energetically its efforts to advance the matter along these lines.

The Federal Government takes the liberty of making its own contribution to such efforts in the form of a memorandum addressed to the Government of the U.S.S.R. It considers this procedure useful in view of the fact that it has for some time past been engaged in an exchange of views with the Governments of the United States of America, the United Kingdom, and France and has happily reached agreement with those Governments. On the other hand, it has so far had no opportunity of entering into detailed discussion with the Government of the U.S.S.R. on the question of reunification.

In view of the fact that, although the question of reunification can be dealt with to some purpose in bilateral exchanges of views, it can be solved, by reason of its legal nature, only jointly with all four governments, the Federal Government takes the liberty of forwarding to the United States Government the text of the memorandum addressed by it to the Government of the U.S.S.R.

*Memorandum from the Federal Republic of Germany to the Soviet Union, on German Reunification and European Security, September 2, 1956<sup>1</sup>*

[Unofficial translation]

1) A unanimous decision was reached in Moscow in September 1955 between the Government delegations of the Federal Republic of Germany and the Soviet Union to resume diplomatic relations. Since this agreement has been put into effect, and the Embassies in Bonn and Moscow have assumed their functions and familiarized themselves with their duties, the Federal Government thinks it time to call to mind another agreement reached in connection with this matter. The agreement in question is contained in a communication written by the Soviet Prime Minister, Marshal Bulganin, to the Government delegation of the Federal Republic of Germany on 18 September 1955, and is expressed as follows:

The Government of the Soviet Union expresses its conviction that the diplomatic relations now being resumed will contribute to the development of mutual understanding and cooperation between the Soviet Union and the Federal Republic of Germany in the interests of peace and security in Europe.

In expressing this conviction, the Soviet Government bases itself on the belief that the establishment and development of normal relations between the Soviet Union and the Federal Republic of Germany will contribute to solving open questions affecting the whole of Germany, and will thus help to solve the main national problem of the entire German people—the re-establishment of the unity of the German Democratic State.

In its reply of the same date, the Federal Government confirmed this agreement, expressing it in the same words.

The Federal Government bases itself on the assumption that it was, and still is, the earnest intention of both sides to realize that agreement and to conduct their policy accordingly.

In the spirit of this agreement, the Federal Government takes the liberty of outlining to the Government of the USSR its ideas as to how the reunification of the German people can best and most quickly be accomplished in a manner satisfactory to those primarily concerned, and, at the same time, to all nations.

2) The Government of the USSR has of late on various occasions expressed the opinion that the existence of two German states is a reality which must be taken into account and that it must therefore be left to these two states to bring about reunification. It has repeatedly pointed out that it does not at present consider the reunification of Germany urgent. Accordingly, it has repeatedly proposed that a European security system should be created in which initially two German States should participate as members.

On the other hand, it was the Soviet Government itself which, only a few years ago, designated the solution of the German problem as a task which brooked no delay (note addressed by the Soviet Government to the Governments of France, the United Kingdom, and the United States, on 28 September 1953). The Soviet Government expressed its view at that time in the words—

<sup>1</sup> Department of State Bulletin, September 24, 1956, pp. 486-487. The memorandum was delivered September 7, 1956.

that the question of the re-establishment of the national unity of a democratic Germany was and remained the main issue confronting the German people, an issue in the settlement of which every peace-loving people in the whole of Europe is interested.

In its note of 13 August 1953, to the Governments of France, the United Kingdom, and the United States, in which it expressed the same conviction, the Soviet Government furthermore stated the following:

No excuse whatever can justify any further delay in this matter, since, in the present circumstances, the Governments of France, Great Britain, the United States, and the U.S.S.R., bear the main responsibility for arriving at a solution. On no account must any measures be postponed which—and even if they be merely aimed at a gradual solution of the problem of the reunification of Germany—can promote the formation of an all German Democratic Government.

The Federal Government is unable to perceive any reason which might cause the Soviet Government to change its views on the urgency of the problem of reunification. The Federal Government is, for its part, of the opinion that each one of the reasons which at the time convinced the Soviet Government of the urgency of the question continues to exist at present—in fact, in greater measure. In its note of 10 March 1952, to the Governments of France, the United Kingdom, and the United States, the Soviet Government itself said it was abnormal that seven years had already elapsed since the cessation of hostilities without any peace treaty having been concluded with Germany. Meanwhile, this abnormality has now continued for eleven years. In its note of 9 April 1952, to the Governments of France, the United Kingdom, and the United States, the Soviet Government even mentioned the fact that the continued partition of Germany entailed the danger of an outbreak of hostilities in Europe. The Federal Government shares the view expressed by the Soviet Government at that time that any continuation of the partition of Germany represents a serious international danger. Even though a certain improvement is happily apparent in the situation in comparison with the acute international tension which still existed in 1952, there can be no doubt that any pacification of Europe calls for a solution to the problem of German reunification and accordingly the removal of the dangers inherent in the partition of Germany. The Soviet Union has repeatedly stated that it is the honest intention of Soviet foreign policy to secure world peace and to bring about a lasting order in Europe offering all nations security, liberty, and prosperity. On the other hand, the unnecessary prolongation by the Soviet Government of the partition of Germany by its assertion, contrary to the views of an overwhelming majority of the other countries in the world, of the existence of two German States, seems to the Federal Republic incompatible with these intentions.

3) The Federal Government points out with satisfaction that, with regard to the legal situation, there is agreement: when the Four Powers assumed the governmental power on the cessation of hostilities, they undertook the obligation to maintain Germany as a whole. During the time that followed, they have repeatedly admitted this legal obligation and their moral responsibility for the reestab-

lishment of Germany's unity. Thus it was, for instance, in explicit recognition of this "common responsibility for the settlement of the German question and the reunification of Germany" that the directive from the four Heads of Government, addressed to their Foreign Ministers on 23 July 1955, was drawn up.

4) In the opinion of the Federal Government, international developments during recent years can in no circumstances justify so profound a change of opinion as seems evident from more recent utterances on the part of the Soviet Government. The Federal Government is aware that the Soviet Government substantiates its present view of the question of the reunification of Germany, i.e., by the fact that the Federal Republic has decided to set up her own national forces and to join the defense system of NATO and the Western European Union. The Federal Government nonetheless believe that the Soviet evaluation of this policy is based on erroneous premises and assumptions and is unable to give up the hope of convincing the Soviet Government and the Soviet people of the fallacy of such assumptions and premises.

5) It cannot be assumed that the setting up by the Federal Republic of her own national forces calls forth apprehension on the part of the Soviet Government in regard to its own security or the security of Germany's eastern neighbors. It is one of the irrefutable prerogatives of every sovereign state to exercise the right of individual and collective self-defense, a right accorded to every state in article 51 of the charter of the United Nations, of which the Soviet Union is a member. Furthermore, the Soviet Government itself proposed, in its draft peace treaty for Germany on 10 March 1952, that a reunited Germany should be allowed to have her own national forces (land, sea, and air) necessary for the defense of the country. The strength of the forces that the Federal Republic is planning to set up is, by comparison with the population of the Federal Republic, far below the strength of armaments of most other states in Europe, and particularly in Eastern Europe. The general compulsory military service introduced by the Federal Republic is the same form of military service which is usual in the Soviet Union. The Federal Republic is the only country in the world solemnly to renounce the production not only of all weapons of mass destruction (atomic armaments, biological and chemical weapons), but also of numerous heavy armaments. This fact alone clearly reveals the defensive nature of her military measures.

6) At the same time, it reveals the attitude taken by the Federal Government to the question of disarmament. It takes an active interest in a general disarmament agreement.

This interest derives first and foremost from general reasons of securing peace. The German Federal Chancellor, Dr. Adenauer, said in Moscow on 9 September 1955:

The most precious possession that every German is intent on safeguarding is peace. We know only too well how much the Soviet and German peoples in particular suffered during the last war, and I therefore believe that I shall find your understanding if I say that the horror of the destruction which would be wrought by a modern war, of the millions of human sacrifices, of the raising of homes and factories, of the devastation of town and countryside, has left its indelible mark on each and every one of us.

We know in Germany, too, that the scientific and technical progress achieved since the last war in the field of nuclear fission and other related fields has put possibilities of destruction into the hand of man, the mere thought of which causes one to shudder. After all, everybody in Germany knows that the geographical position of our country would jeopardize us to the highest degree in the case of an armed conflict. You will therefore find nobody in Germany—not only among responsible political leaders but also in the entire population—who even remotely toys with the thought that any one of the major political problems awaiting solution could be solved by war. The longing which has gripped humanity that war may have utilized itself by its own dreadfulness—that longing is deeply and strongly rooted in the heart of every German.

That remains valid in undiminished measure today.

It would also be a misunderstanding to assume that the Federal Government is opposed to general disarmament because it links it with the simultaneous settlement of the question of German reunification and because it continues to set up its own forces.

The interrelation between the problem of disarmament and that of reunification is ineluctable. It would be rendering a sorry service to the cause of disarmament indeed if one detached it, after the manner of many a well-meaning world-reformer, from all political aspects and argued, so to speak, in a vacuum. In the hard reality of this world, general disarmament can be brought about only if the political prerequisites exist. For the states simply will not—as experience has shown often enough—be prepared to carry out disarmament honestly as long as there are smouldering conflicts which may burst into violent flame any day. That is why what matters is to remove the causes of the tension existing today, which have led to the present high level of world armament. The Federal Government, however, has repeatedly stressed the fact that it considers it quite possible to solve the problem of disarmament hand in hand with that of reunification. It is therefore by no means of the opinion that a disarmament agreement must be deferred until reunification has been achieved.

It is perfectly evident that the setting up of its own forces is not in contradiction to the wishes of the Federal Government in regard to disarmament. A disarmament agreement cannot be concluded on the basis that one state with no soldiers at all remains at that level, while another with over a hundred divisions reduces that number by twenty, forty, or sixty. Rather must one base oneself on a comparable level of armaments—a principle which, moreover, was recognized in the protracted, but unfortunately fruitless, disarmament efforts made at the beginning of the thirties. Thus the setting up of its own forces does not in any way preclude untiring and active efforts on the part of the Federal Government to bring about a general disarmament agreement.

7) Even the fact that the forces are being raised in connection with the Federal Republic's membership in NATO and the Western European Union does not change anything in this evaluation. If this is what is causing the Soviet Union apprehension, then it must be stated first of all that all the fears expressed by the Soviet side in regard to the membership of the Federal Republic in these organiza-

tions are based on erroneous premises concerning their nature. Both NATO and the Western European Union are alliances which exclusively serve the purpose of individual and collective self-defense. It is an example of what can be accomplished in the area of limiting armaments and armament control when peoples work together for the purpose of conciliation and relaxation of tension.

The members of the Atlantic and Western European defense organizations are in complete agreement with regard to their defensive goals. Each of them has the greatest interest in insuring that no member country in pursuing her national political aims takes any steps which might lead to hostilities. Membership in these organizations must therefore have a moderating effect on the policy of every member state. A member state may count on the help of its allies only if it is the victim of aggression.

At this juncture, it must be repeated that, after the wars and catastrophes of recent decades, the longing of every people, and in particular of the two peoples of Germany and the Soviet Union, so much afflicted in two world wars, for an international order offering security and peace to all is very understandable. The Federal Government is determined to achieve the reunification of the two separate parts of Germany exclusively by peaceful means. It is ready at any time to repeat this renunciation of force, which has already been given to the Western peoples and which is valid for its relationship with all peoples, to the Soviet Union, and to the eastern neighboring countries in binding form.

8) Furthermore, it is a regrettable misunderstanding if the Soviet Government assumes that the Western Powers will demand that the whole of Germany belong to NATO and the Western European Union after reunification. The Governments of France, the United Kingdom, and the United States have never imposed any such condition. On the contrary, it was stated clearly, even at the Berlin Four Power Conference in 1954, that the policy of the three Western Powers was to accord to a reunited Germany absolute freedom to decide her own foreign policy. The Federal Government has also consistently championed the principle that a future all German Government must be free to decide whether it wishes to seek security in an alliance with the West, with the East, or without any alliance at all. The Federal Government has made this principle of freedom of decision for a reunited Germany a cornerstone of its policy.

This attitude is confirmed by the fact that the Governments of France, the United Kingdom, and the United States, in their Geneva proposal of 28 October 1955, on "Reunification of Germany and [European] Security" offered the Soviet Union, for the contingency of German reunification's being achieved, a considerable number of security guarantees which were to become effective even if the all-German Government declined to accept membership in the Western defense system. Additional security guarantees were also to be provided according to this proposal for the event that a united Germany should decide for membership in NATO. These included the mutual assistance with both sides should promise each other contractually for the event of an armed attack in Europe by a NATO member against a state not belonging to NATO and vice versa.

This state of affairs was again quite correctly described by the British Prime Minister, Sir Anthony Eden, in his statement to the House of Commons on 23 July 1956.

9) If the Soviet Government should continue to believe itself unable to agree to the reunification of Germany because the forces and military installations of NATO would be advanced a few hundred kilometers eastward if a united Germany were to decide to join NATO this concern could be removed by appropriate arrangements. After British Prime Minister Eden had, on the basis of such considerations, already proposed for discussion on the 18th day of July 1955, in Geneva the creation of a demilitarized zone between East and West, for the same considerations it was stated in point 3 of the joint draft proposal of France, the United Kingdom, and the United States, dated 28 October 1955, for a treaty with special guarantees for the event of the reunification of Germany:

In parts of the zone which lies closest to the line of demarcation, there might be special measures relating to the disposition of military forces and installations.

The Federal Government deeply regrets that there has so far been no detailed discussion of this significant proposal, based on the general idea that it is not intended to improve, by the reunification of Germany, the military situation of any one group of powers.

10) In any case, the Federal Government earnestly desires to take into account the security considerations of the Soviet Union as far as humanly possible, even if it cannot admit that, seen through objective eyes, the security of the Soviet Union could in any way be prejudiced by the policy of the Federal Republic. The Federal Government was therefore appreciative when the problem of the reunification of Germany was closely linked, at the two Geneva conferences in 1955, with the problem of a European security system. Despite the final results of the Geneva negotiations, disappointing to the German people, it is of the opinion that the discussion of the security and reunification problems has led to a certain amount of progress and that a number of proposals were submitted whose further discussion would be fruitful.

The Federal Government is in favor of a European security system based on a solemn renunciation by all members of the use of force in solving political disputes in their mutual relations. In a security system of this kind, each member state should commit itself to refuse an aggressor any support whatsoever. The Federal Government adopts fundamentally a positive attitude to these ideas. It also does not exclude other suitable proposals for elements of a security system. Therefore it is also in favor of a mutual assistance obligation of all members of a European security treaty for the event of an armed attack in Europe by a NATO member against a state not belonging to NATO and vice versa. As far as it is fear for her own security that causes the Soviet Union to withhold her consent to the reunification of Germany, there is nothing to prevent the considerations expressed hitherto from being reexamined with a view to ascertaining their applicability.

11) The Soviet Government, for its part, submitted to the Geneva Conference on 28 October 1955, the draft of a general treaty on collective security containing a number of similar proposals. A funda-

mental difference between the Soviet proposal and that of the West, however, consisted in the fact that the former envisaged the membership of two German States in this treaty system.

Together with the Governments of France, the United Kingdom, and the United States, the Federal Government believes that a European security system participated in by two German States is in itself a contradictory idea doomed to failure. This idea is also inconsistent with the directive issued by the four Heads of Government on 23 July 1955, which explicitly states the close relation between the reunification of Germany and the problem of European security, and which therefore envisages the simultaneous treatment of both questions. The reasons for this relationship have often been explained. The partition of Germany represents an abnormal situation. A security system based on that situation would in fact petrify it, so to speak, while the aim of a security system should, after all, be to create normal conditions and, at the same time, to satisfy the alleged or real security needs of those directly or indirectly participating.

The Federal Government therefore considers it indispensable to link the solution of both questions to each other in such a manner that, from the very beginning, only one German State, namely reunified Germany, joins the European security system.

12) This demand leads to the question of how the reunification of Germany can be achieved.

Even as recently as 23 July 1955, the Chairman of the Council of Ministers of the C.S.S.R., Marshal Bulganin, reached an agreement with the Heads of the Governments of France, the United Kingdom, and the United States, to the effect that "the settlement of the German question and the reunification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security." When this agreement was signed on 23 July 1955, the Paris agreements of 23 October 1954, had been in force for quite some time and the Federal Republic was a member of NATO and WEU. Nonetheless, the Soviet Foreign Minister, Mr Molotov, on 8 November 1955, declined the proposal of the three Western Powers in Geneva that free elections should be held in the whole of Germany by secret ballot before the end of September 1956, substantiating his rejection by saying that the situation which had prevailed since the Berlin conference in 1954 had undergone a serious change in consequence of the Paris agreements. Contrary to the Geneva directive issued by the four Heads of Government on 23 July 1955, Mr Molotov expressed the view that the question of holding free all German elections was not yet ripe for discussion and that first of all a "rapprochement and cooperation" between the two German States—existing in his opinion—was necessary.

Thus the Soviet Foreign Minister imposed a new condition for the reunification of Germany which, in effect, amounted to making the reunification of Germany impossible for a long time to come.

The Soviet Government should not close its eyes to the fact that the regime of the so-called "German Democratic Republic" has not succeeded, even in the course of several years, in winning the confidence and assent of its population. That regime claims to represent a state of working people, particularly laborers and farmers, and the labor-

ers and farmers of Central Germany are the very people whose overwhelming majority deeply resents that regime. The Federal Government does not doubt that the Soviet Government itself did some earnest thinking on the matter after 17 June 1953. Unfortunately, conditions in Central Germany have not in any way improved since those events. On the contrary, a continuous stream of refugees continues to pour, month by month, from the Zone into the Federal Republic.

Contrary to this picture, which sketches the real state of affairs in the Zone, the Soviet Foreign Minister, Mr. Molotov, asserted in Geneva on 8 November 1955, that a "mechanical fusion of the two separate parts of Germany by so-called free elections would lead to violation of the vital interests of the workers in the DDR [German Democratic Republic]." It would reestablish the rule of large monopolies, the Junkers, and the militarists, throughout Germany. The workers of Germany, said Mr. Molotov, had, for the first time, found their real fatherland in the form of the DDR, a German State in which not the large monopoly owners and Junkers but the working people themselves were the masters.

These comments reveal how little the Soviet Foreign Minister is acquainted with economic and social conditions in Germany. Any conversation that he cared to hold with German laborers and farmers would prove to him that he has a completely inaccurate idea of the social conditions prevailing. On the other hand, the concept of the functionary is familiar to every worker in Central Germany, and everyone knows that no private contractor in the Federal Republic would dare to impose "quotas of work" such as are being dictated by the functionaries of the Socialist Unity Party and the "Free" Association of Trade Unions.

The Federal Government would appreciate it if, as the result of the establishment of a Soviet Embassy in Bonn, the Soviet Government would obtain a true picture of the political and social conditions prevailing in the Federal Republic. The Soviet Government would then indubitably have to drop the objections to the holding of free elections that it now raises in view of the political and social conditions in both parts of Germany.

13) Since its great peace edict of November 1917, the Soviet Government has ever been the champion of the cause of self-determination for all peoples. This principle, which is regarded by the Federal Government also as fundamental for the peaceful co-existence of nations and which has found expression in the charter of the United Nations, in the Atlantic Charter, and in many other documents of a decisive nature, says: Every nation shall be entitled to determine freely its own destiny. It shall decide for itself in what community of states and under what form of government it chooses to live, what social order it prefers, what foreign policy it pursues, and with what states it desires close cooperation.

The Federal Government appeals to the Government of the U.S.S.R. to remain faithful to this principle it has continually proclaimed. If the German people were accorded the possibility to decide their own fate, they would undoubtedly vote in their entirety against the formation of two German States and for their immediate reunification within one German State. The fact that they have to choose between different forms of government and different economic

and social systems must not be allowed to stand in the way of their being accorded the opportunity of an election with freedom of decision.

A year ago, the Soviet Foreign Minister, Mr. Molotov, stated in San Francisco:

As far as our proposals, the proposals of the Soviet Union, concerning the reunification of Germany are concerned, we hold the following view: The regime prevailing at present in Eastern Germany should, of course, not be extended to a united Germany any more than should be the regime existing in Western Germany. What regime is to exist and will exist in a reunified Germany—that is a matter which the German people will have to decide for themselves in all German free elections. (TASS, 27 June 1955.)

The Federal Government is in complete agreement with this declaration. It is, naturally, aware of the fact that the partition of Germany, which has lasted many years, has led to considerable differences in the social structure within Germany. But only a national representation elected by the entire German people has any right to create an order which brings the two parts of Germany closer together again, and secures such social achievements as are regarded by the entire German people as progressive. Any other solution is impossible, if only for the reason that the workers of the Federal Republic are entitled to insist that the reunification of Germany should not lead to their political and social achievements being jeopardized.

In this view, the Federal Government believed itself in agreement with several earlier statements by the Soviet Government. The latter, in its note of 15 August 1953, said, for instance, that, in consequence of all German free elections, "the German people themselves will, without interference from foreign countries, solve the problem of the social and national structure of a democratic Germany."

In consequence of more recent Soviet utterances, the Federal Government is unfortunately no longer certain of that agreement. Addressing the Geneva Conference of Foreign Ministers on 2 November 1955, the Soviet Foreign Minister stated that the re-establishment of the unity of Germany could not be brought about at the cost of the social and economic achievements of the workers in the DDR. It is the belief of the Federal Government that a national assembly elected by the entire German people would be the best guardian of achievements regarded as such by the whole of the workers. However, Mr. Molotov continued by saying that the statement made by the Government of the DDR to the effect that the DDR would not allow its democratic and social reforms to be encroached upon must be taken into account.

It is generally known what features are counted in the DDR among the so-called "democratic reforms": the suppression of the Social Democratic Party, the assimilation of the Christian Democratic and Liberal Parties, the obstruction of free elections for the People's Chamber, the suppression of freedom of opinion and of the press, the abolition of freedom of coalition and of the right of workers to strike, the systematic removal of the professional middle class, the suppression of freedom of worship, and the practice of a despotic and politically controlled system of jurisdiction. Is a future all German parliament to be committed to the perpetuation of this policy?

The Federal Government would appreciate a clear statement by the Government of the U.S.S.R. that it does not intend to restrict the freedom of decision of a freely elected all-German people's representation in fundamental questions affecting the internal order of the German people.

14) The Federal Government is convinced that free elections throughout Germany, whatever their outcome, should have only one aim, viz., to unite the German people and not to divide them. The formation of a new system of government must therefore not be allowed to lead to the political persecution of supporters of the old system in any part of Germany. That is why the Federal Government is of the opinion that measures should be taken to insure that, after the reunification of Germany, nobody should be legally prosecuted or discriminated against in any other way merely on account of his former activity for the authorities or a political organization in either part of Germany.

15) The Federal Government would appreciate a reply from the Government of the U.S.S.R. to the questions broached in the foregoing. It would consider it useful if in this way an exchange of views were initiated which would promote agreement of the Four Powers on reunification.

Anybody postponing indefinitely the solution of the problem of German reunification is incurring a heavy responsibility not only to the German people, whose only reaction to their deprivation of the recognized right to reunification is bitter disappointment; rather does this problem affect peace, easing of tension, and security in the whole of Europe—in fact, in the world. By no means least worthy of mention is the fact that its solution is in the fullest interest of the Russian people itself. It cannot be desirable in the long run to the Soviet Union, either, for the entire German people to regard Soviet policy toward Germany as continual interference in internal German affairs. The establishment of normal neighborly relations between the German and Russian peoples is dictated by the interests of both nations. As long as almost seventy million people in the heart of the European continent have the feeling that the Soviet Union is arbitrarily refusing, in the face of every international law, reunification and free self-determination within a national order of their own choosing, the establishment of genuinely normal relations between the two peoples will be impossible.

*Note from the Department of State to the German Embassy, on German Reunification and European Security, October 9, 1956<sup>1</sup>*

The Government of the United States of America presents its compliments to the Government of the Federal Republic of Germany and has the honor to acknowledge the receipt of the Federal Government's note of September 2, 1956,<sup>2</sup> which enclosed a copy of the memorandum addressed to the Government of the Union of Soviet Socialist Republics on the question of the reunification of Germany.<sup>3</sup>

<sup>1</sup> Department of State press release 581, October 10, 1956. A copy of this note was transmitted to the Soviet Government on October 10, 1956 (*infra*).

<sup>2</sup> *Supra*.

<sup>3</sup> *Supra*.

The Government of the United States fully shares the Federal Government's view that it is incumbent upon the four powers to fulfill the task undertaken by them in the directive issued by the Heads of Government at Geneva in July 1955 for the reunification of Germany by means of free elections carried out in conformity with the national interests of the German people and the interests of European security. This is a task which, as the note of the Federal Government points out, cannot be adequately fulfilled "by mere assent to the principle of reunification, without any agreements being reached regarding practical ways and means of realizing it."

The achievement of German reunification in freedom is a fundamental goal of United States policy. Together with the governments of France and the United Kingdom, the Government of the United States put forward proposals at the Geneva meeting of Foreign Ministers in 1955 for the reunification of Germany by free elections and for a treaty of assurance giving the Soviet Union far-reaching security safeguards when Germany was reunified. So far, however, the Soviet Government has refused to discuss these proposals. The Government of the United States nevertheless continues to hope that the Soviet Government will fulfill its responsibilities in accordance with the agreement reached by the Heads of Government. For its part, the Government of the United States will not cease to pursue its efforts to achieve the reunification of Germany, the continued division of which constitutes a grave injustice to the German people and makes impossible the establishment of a basis for lasting peace and security in Europe.

To this end, the Government of the United States welcomes the initiative taken by the Federal Government and shares the desire set forth in the latter's memorandum that it may lead to an exchange of views which might promote agreement among the Four Powers on reunification, as well as on a sound system of European security, which can be achieved only if Germany is reunited.

In transmitting to the Soviet Government a copy of its reply to the note of the Federal Government, the Government of the United States is conveying the hope that the Soviet Government will respond to the initiative of the Federal Government in such a way that the Four Powers may be able to give effect to the agreement made at Geneva to achieve the reunification of Germany by means of free elections.

*Note from the American Embassy to the Soviet Foreign Ministry, on German Reunification and European Security, October 10, 1956<sup>1</sup>*

The Government of the United States of America presents its compliments to the Government of the Union of Soviet Socialist Republics and has the honor to refer to the memorandum which was addressed to the Soviet Government on the second of September by the Government of the Federal Republic of Germany and of which a copy was sent to the Government of the United States. The Government of the United States now has the honor to transmit to the Soviet Government

<sup>1</sup> Department of State press release 821, October 10, 1956. The United Kingdom and France sent identical notes on the same day.

a copy of the reply which it has returned to the Government of the Federal Republic of Germany.

The Government of the United States attaches great importance to the reunification of Germany, which is a basic objective of its policy. It is convinced that the continued division of Germany must be brought to an end in the interests not only of the Germans themselves but of all nations anxious to safeguard the peace of Europe. The Governments of France, the United Kingdom, the Union of Soviet Socialist Republics and the United States have on various occasions acknowledged their responsibility for bringing about the reunification of Germany, and agreed in the directive given by the Heads of Government of the Four Powers to their Foreign Ministers in July 1955 to carry out this responsibility. No progress has been made since then. The detailed proposals put forward by the Western Powers at the subsequent Foreign Ministers' Conference, which were designed both to end the division of Germany and to establish a firm system of European security, have met with no affirmative response from the Soviet Union.

The Government of the United States therefore hopes that the Soviet Government will give careful consideration to the German memorandum and will, in response to the initiative taken by the Federal Government, state its view as to how effect can be given to the agreement made by the four Heads of Government at Geneva to restore German unity by means of free elections.

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*Communiqué on Talks Between Foreign Minister von Brentano and Secretary of State Dulles, Regarding German Reunification and European Security, March 5, 1957<sup>1</sup>*

Foreign Minister Heinrich von Brentano of the Federal Republic of Germany and Secretary of State Dulles today concluded the official talks which they have held during the Foreign Minister's current visit to Washington.

These talks covered a broad range of current world problems of mutual concern to both governments and afforded an opportunity for a full and frank exchange of views. Particular attention was devoted to an assessment of the general political situation in the light of recent developments in Eastern Europe and the Middle East. The talks have served to emphasize and reinforce the community of interest and the harmony of views which exist between the two governments with regard to the problems confronting them.

The Foreign Minister and the Secretary of State reaffirmed that the reunification of Germany in freedom remains a fundamental objective of the policies of their governments. They were in agreement that recent developments in Eastern Europe have served to emphasize the urgent necessity for a solution of the problem of German reunification in the absence of which there can be no permanent settlement in Europe or any lasting stability. They expressed the hope that the Soviet Union would come to realize that it is in its own interest that there be a just solution of this problem. They noted that a study of the problem of German reunification and its relationship to European security is being undertaken in Washington by experts

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<sup>1</sup> Department of State press release 114, March 5, 1957.

of the United States, Great Britain, France and the Federal Republic. This study should provide a common basis for dealing with any new developments which might have a bearing on these questions.

The Foreign Minister and the Secretary of State were also in complete agreement that recent developments in the Soviet Union and Eastern Europe have afforded no basis to the West for lowering its guard.

They shared the view that the maintenance of the strength of NATO remains as important as ever. Foreign Minister von Brentano stressed in this regard the determination of the Federal German Government to proceed as rapidly as possible with building up its own military strength in order to be able to make its agreed contribution to the Western collective defense system.

The Foreign Minister informed the Secretary of the progress being made towards the signing of treaties for the creation of a European Common Market and the establishment of a European organization with common authority and responsibility in the field of atomic energy (Euratom). The Foreign Minister and the Secretary were in agreement that early approval and implementation of these treaties would contribute materially to enhancing the close association between Europe and the United States.

The Foreign Minister and the Secretary of State reviewed current problems in the Middle East. They were in agreement as to the urgent need for a peaceful solution of these problems in conformity with the principles of justice and international law. The Secretary of State welcomed the Foreign Minister's indication of the desire of the Federal German Government to contribute in whatever ways might be appropriate to reaching a just and lasting settlement of the problems of the area.

The Foreign Minister will call on President Eisenhower in the White House on Thursday morning, March 7.

*Remarks at News Conference by Secretary of State Dulles, on German Reunification and a Demilitarized Area, May 14, 1957<sup>1</sup>*

[Extracts]

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Q. Mr. Secretary, what is the policy of the United States with respect to the creation of a neutralized or demilitarized zone in Europe based on the Iron Curtain division inside Germany?

A. The policy of the United States is not to accept any procedure along the lines which you indicate. In the first place, we do not accept any arrangement which is based upon the present partition of Germany. And there seems to be perhaps some misunderstanding about the so-called Eden formula, which, as submitted at the Summit Conference, did not involve any demilitarized zone at all. It was a plan for reciprocal inspection of what presumably would be militarized areas. If the areas were demilitarized, then your inspection would not prove anything as to the capacity of being able to control and verify your inspection. And the kind of thing that we are talking about in the first place did not involve any acceptance of the partition

<sup>1</sup> Department of State press release 288, May 14, 1957

of Germany or any area which would imply acceptance of that, nor does it imply any demilitarized area for Germany.

And let me add this: That in anything which touched directly or indirectly upon Germany and its prospects for reunification, we would act only in the closest concert with Chancellor Adenauer.

Q. Mr. Secretary, what is the kind of thing we are thinking about in this armament discussion as to Europe?

A. Well, we do not have any crystallized thinking at all as far as Europe is concerned as yet. What we are thinking of is the possibility of developing zones which would be subjected to aerial inspection. We are not thinking just in terms of Europe in that respect but rather in terms of the Arctic area, Alaska, Siberia, and the like. That does not exclude the possibility of there being developed an area in Europe. But the difficulties in the way of extending aerial inspection at this stage to Europe are considerably greater perhaps than they are in the case of other areas, both because of the political implications and because of the greater number of countries involved.

Q. Is it not possible, sir, to have an agreed zone of inspection in Europe without having it tied to the political problems?

A. Yes. That is a possibility which I do not exclude. All I say is that in an area where progress at best is difficult, the difficulties of finding an arrangement which would cover Europe are, I think, greater than the difficulties in dealing with the less-populated areas which are not subject to as many political complications as Europe is.

Q. Mr. Secretary, there have been reports that Governor Stassen has been authorized to come up with specific proposals on these areas you talk about. Has he been so authorized?

A. No.

Q. Mr. Secretary, as a policy are we for or against creating neutralized zones as part of any disarmament scheme?

A. Well, I don't think we favor any plan for a neutralized zone insofar as proposals or thinking on that subject has been developed as yet. I believe that Chancellor Adenauer suggested that with a reunified Germany, he would be willing to agree that military forces of NATO would not be put into the Eastern zone of what would then be the reunified Germany. And of course anything that Chancellor Adenauer wished in that respect would be given very careful and sympathetic consideration by ourselves. It would not be practical to put military forces in that area without the approval of the Government of the reunified Germany. That is the only suggestion of that kind that I am aware of. It deserves, I think, sympathetic consideration.

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Q. Mr. Secretary, just for clarification, are you saying that the reunification for Germany is still a prime condition for consideration of any security arrangement in Europe?

A. I said that we would not deal with disarmament in Europe in any way which could bear upon the reunification of Germany unless we were in that respect working in close cooperation with Chancellor Adenauer and the Federal Republic.

Q. Does that rule out that pilot area for central Europe that has been discussed as a test for inspection and other devices for security?

A. Well, as I said in answer to an earlier question, we do not exclude the possibility of having such a zone in Europe. If there is such a zone in Europe, it would have to be worked out in cooperation with NATO, with the Federal Republic. There are very considerable complications about that, so that in line with the policy which I enunciated in my New York speech of a month or so ago, where I said that progress will probably have to be taken by steps, carefully measured and carefully taken, it may be that that is not the best place to start because of the complications.

Q. Mr. Secretary, in your mind is the German reunification and any disarmament reached in Europe, still the two factors that must be resolved at the same time, pretty closely related?

A. I think it is very difficult to work out an effective and dependable limitation of armament arrangements for Germany which is not connected somewhat with the reunification of Germany. As I indicated before, our views in that respect would be very largely influenced by the views of the German authorities themselves, particularly Chancellor Adenauer. I don't say it is impossible, but I would think that their judgment would carry a great deal of weight in that matter.

Q. I was thinking more of a general disarmament in Europe. Is that in your mind linked with the problem of German reunification? In other words, would we reach a limited disarmament agreement with the Russians without at the same time insisting some progress be made on the German problems?

A. Well, that again I don't want to answer without consultation with the Germans. I think their views are entitled to a great deal of weight.

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*Note from the Foreign Minister of the Federal Republic of Germany (von Brentano) to the Soviet Ambassador (Smirnov), Regarding Nuclear Weapons in Germany, May 23, 1957<sup>1</sup>*

[Extracts]

The frightful dangers of atomic warfare have not been conjured up by the Federal Republic of Germany, which is known not to belong to the Powers possessing or manufacturing or testing atomic and hydrogen weapons. \* \* \*

The statements by the Soviet Government that there may either now or at some future date be claimed to exist a concentration of atomic weapons in the territory of the Federal Republic, or a conversion of the Federal Republic into the main European assembly base and main striking power of NATO for atomic warfare in Europe are completely erroneous. There is not a shred of evidence to support them.

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<sup>1</sup> German Federal Press and Information Office Bulletin, May 28, 1957.

## BINDING STATEMENTS

The note of the Soviet Government is based on the supposition that the Federal Government intends to arm the German forces with atomic weapons. With regard to this, the Federal Government calls attention to the binding statements by which the Federal Chancellor, in the course of his conversation with the Soviet Ambassador, Mr. Smirnov, on April 25, 1957, made it clear that the Federal Republic neither possesses any type of atomic weapon nor has requested any supplies of such weapons. \* \* \*

## NATO WEAPONS THREATEN NORODY

Both the Soviet note of April 27 and the letter written by Ambassador Smirnov on May 4, mention the dangers which would be entailed by setting up nuclear weapons belonging to the Western Powers in the territory of the Federal Republic. These apprehensions are without foundation. It is generally known that the Western forces stationed in the territory of the Federal Republic within the framework of the North Atlantic Treaty, a purely defensive pact, are there merely for defence purposes. The Atlantic Community is built up on the principle of mutual aid in case the Community or one of its members should be attacked. Only those who would irresponsibly risk attacking that Community have any reason to fear it or the weapons in its possession. It is therefore erroneous to see any danger to other peoples in the stationing of atomic weapons in any territory covered by the North Atlantic Treaty. \* \* \*

## SURPRISING ACCUSATIONS

The accusation raised in the Soviet note that the Federal Government will by its policy unleash a race in atomic armaments must be emphatically repudiated by the Federal Government. Its part in the unfortunately already proceeding atomic armaments race is that of an apprehensive and jeopardized onlooker. The Federal Republic is the only country in the world voluntarily to have renounced the manufacture of atomic, biological and chemical weapons, and thus already to have made an effective contribution to atomic disarmament. If, therefore, this Government is accused by one of the strongest atomic Powers in the world of indulging in an atomic armaments race, the only sentiment it is capable of expressing is one of considerable surprise. \* \* \*

The Federal Government shares the view of the Soviet Government that everything possible must be done to ease international tension. But the Federal Government also holds the view that the Soviet Union herself has it in her power, by consenting to a comprehensive disarmament agreement, guaranteed by effective controls, to make a decisive contribution to securing the peace. The Federal Government is determined, for its part, to devote all the energy at its command to bringing about agreements capable of liberating humanity as quickly and effectively as possible from the fear of the threat of force and, in particular, from the fear of atomic war.

*Memorandum from the Embassy of the Federal Republic of Germany to the Soviet Foreign Ministry, on German Reunification, May 27, 1957<sup>1</sup>*

[Summary]

The Federal Government considers in agreement with the Soviet Government, "a continued exchange of views \*\*\* on the questions of the relations between the two countries desirable".

Naturally, however, one cannot confine oneself to negotiating on questions which interest the Soviet Government only—such as the development of trade between the two countries—; one must also discuss those questions in which the Federal Government is especially interested, in particular the basic problem of Russo-German relations: the reunification of Germany.

**REFUSAL TO NEGOTIATE WITH THE SO-CALLED GERMAN DEMOCRATIC REPUBLIC**

The Federal Government is unable to understand that the Soviet Government describes itself as on the one hand a "consistent supporter of the re-establishment of the national unity of Germany as a peace-loving and democratic State", whilst on the other hand it is not willing to sanction reunification except by way of negotiations between the Governments of the two German States allegedly existing. It is easier to restore the unity of a State, which has only temporarily been disturbed, but which exists under international law and in the consciousness of its people by national elections, than it is first to completely separate the parts of the State in question and then to reunite them through diplomatic negotiations—a procedure which gives each side the right of veto.

The Federal Government does not consider it useful to argue with the Soviet Government on the character of the régime in the Soviet zone. The Federal Government is unable to recognize that régime and negotiate with it, even if it were only because that, by so doing, it would be taking the decisive step in partitioning Germany.

**THE FEDERAL REPUBLIC AS A PEACE-LOVING AND DEMOCRATIC STATE**

The contradiction in the attitude taken by the Soviet Government is explainable by the fact that that Government gives the words "peace-loving" and "democratic" meanings differing from those accepted in normal usage. When the Soviet Government accuses the Federal Republic of reviving militarism and violating the elementary rights and liberties of the population, its accusations are in complete contradiction to the true circumstances.

The membership of the Federal Republic of the North Atlantic Treaty Organization—a purely defensive alliance in conformity with the Charter of the United Nations—is above all, a consequence of such events as the war in Korea and the blockade of Berlin. There can be no question of hostile feelings towards, or thoughts of revenge against, the Soviet Union. Nothing of all that took place during the last war and subsequent to it must ever happen again.

<sup>1</sup> German Federal Press and Information Office Bulletin, May 28, 1957. The memorandum was delivered May 24.

The Federal Government reaffirms its statement of September 2, 1956, to the effect that it is desirous of taking into consideration to the greatest possible extent the wishes of the Soviet Union in regard to security although the Federal Government is unable to recognize any objective justification for such wishes in regard to security.

#### FOUR-POWER RESPONSIBILITY AND THE RIGHT OF SELF-DETERMINATION

The partition of Germany is not due to any violation by the Governments of the three Western Powers of the Four-Power Agreements respecting the development of Germany; its origin lies in the fact that the Soviet Government was not prepared to unite its zone of occupation in Germany with the other zones of occupation. The Communist counter-government set up in that zone up to this very day does not rest upon the will of the population as expressed in free elections.

When the sovereignty of the Federal Republic was established, the Governments of the three Western Powers reserved such rights as enable them to exercise their responsibilities in regard to Berlin and to Germany as a whole, including reunification. Those reservations are in the interest of the Federal Republic herself; it goes without saying that they do not stand in contradiction to the right of self-determination. The only obstacle to the exercise of the right of self-determination by the entire German people is the Soviet Government's veto; if the Soviet Government were to agree to reunification, the reservations made in the Paris Conventions would be superfluous.

#### SOVIET UNION CONTINUES TO IMPOSE NEW CONDITIONS INCAPABLE OF FULFILMENT

The Federal Government believes that the Geneva proposals, which it helped to draft, put forward by the three Western Foreign Ministers contain a constructive plan for solving the interdependent problems of German reunification and European security, and that they take into consideration all the legitimate interests of the Soviet Union. The Federal Government has already emphasized that it will not turn a deaf ear to any other proposals that might be put forward for the elements of a security system.

The Soviet Government, however, has for years constantly been inventing reason after reason for obstructing reunification:

First of all, the accession of the Federal Republic to the Paris Conventions was cited; then it was said that the 'social achievements' of the so-called 'German Democratic Republic' would first of all have to be safeguarded; then the disbandment of the Communist Party of Germany, a party inimical to the Constitution, was stated to be an obstacle. In its note of October 22, 1956, the Soviet Government stated that the question of reunification today first and foremost depended upon a change of the present political course of the Government of the Federal Republic. In its latest note, the Soviet Government now says that arming the German Federal forces with atomic weapons would deal the cause of the national reunification of the German people an irreparable blow.

It is hardly possible, in the face of all these utterances, to draw any conclusion other than that the Soviet Government is desirous at present of preventing the reunification of Germany.

#### ULBRICHT'S PROGRAMME TO PREVENT REUNIFICATION

The programme propounded by Party Secretary Ulbricht on February 3, 1957, envisages an indefinite period of time during which Germany would merely be a 'confederation', i.e. a loose association of states to precede a phase of "negotiations on the basis of equality concerning measures for holding free all-German elections for a national assembly".

The entry into this phase of 'confederation' and the transition to the second phase—the negotiations on the actual reunification—are made contingent upon so many conditions, most of them to be fulfilled unilaterally and in advance by the Federal Republic, that the entire programme cannot be regarded as anything but a plan to prevent the reunification of Germany and to uphold and extend the rule of the communist functionaries.

#### SOVIET UNION'S TURN TO MAKE CONSTRUCTIVE PROPOSALS

The Federal Government has been making or supporting constructive proposals without respite—the draft of an all-German electoral law passed by the Bundestag in 1951, the 1954 'Eden-Plan' (Berlin Conference) for holding free elections throughout Germany, and the 1955 revised 'Eden-Plan' (Geneva Conference of Foreign Ministers), which was coupled with far-reaching security guarantees for the Soviet Union for the event of reunification.

The Soviet Government declined to accept any of these proposals as a basis for negotiations. It, however, has never itself put forward a constructive proposal stating clearly that it really would agree to reunification if certain conditions were fulfilled.

The Federal Government knows that the unity of Germany can result only from negotiations in which all the participants weigh the advantages and disadvantages of a solution, and make such mutual sacrifices as are necessary in the interest of peace and security. The Federal Government would welcome it if the Soviet Government also would allow herself to be guided by the same spirit in dealing with the question of reunification.

#### WILLINGNESS TO DISCUSS THE ELEMENTS OF A EUROPEAN SECURITY PACT

The Federal Government is prepared at any time to continue the discussion on a security system capable of guaranteeing all the States of Europe, including a reunited Germany, peace and freedom, within the framework of the proposals put forward by the Western Powers at the Geneva Conference of Foreign Ministers on October 28, 1955. The Federal Government has no hesitation about linking an agreement on the reunification of Germany with contractual obligations reaffirming the renunciation of force. Over and above this, it is prepared to consider any other practical proposal that the Soviet Government may care to put forward in connection with the reunification of Germany in freedom.

If the Soviet Government were to change its attitude to the question of reunification, there would be a possibility of achieving a comprehensive clarification of and improvement in mutual relations. It is the sincere wish of the Federal Government shortly to be in a position to avail itself of that possibility.

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*Communiqué and Joint Declaration by President Eisenhower and Chancellor Adenauer, on German Reunification and Disarmament, May 28, 1957<sup>1</sup>*

### COMMUNIQUE

The President of the United States and the Chancellor of the Federal Republic of Germany concluded today the cordial discussions they have conducted during the last several days, with the assistance of the Secretary of State and the German Foreign Minister, and other advisers.

These discussions permitted a comprehensive exchange of views concerning German United States relations, the European situation, and the world situation. They have served to strengthen still further the close understanding and harmony of views already existing between the two governments.

As a result of their talks, the President and the Chancellor have issued a Joint Declaration regarding matters of mutual interest.

### JOINT DECLARATION

#### I.

The President and the Chancellor agreed that the basic aim of the policies of their two countries is the maintenance of peace in freedom. To that end it is the common policy of their governments to work for the achievement of conditions in which all nations can live in peace and freedom and devote their energies and resources to promoting the welfare of their peoples.

They agreed that the realization of these conditions depends upon the removal of the causes of tension existing between the Soviet Union and the Free World. This tension is mainly attributable to the acts and policies of the Soviet Union, among them the deprivation of other peoples of their freedom.

The President and the Chancellor noted with great concern the consequences of the brutal Soviet intervention in Hungary. The continued suppression of the rights of the Hungarian people makes it difficult for other nations to accept as genuine the professed Soviet desires for peaceful coexistence.

The President and the Chancellor reaffirmed that the ending of the unnatural and unjust division of Germany is a major objective of the foreign policies of the two governments. Germany must be reunited on a free and democratic basis by peaceful means. If the Soviet rulers really desire peace and the relaxation of international

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<sup>1</sup> White House news release, May 28, 1957

tension, they can give no better proof than to permit the reunification of Germany through free elections.

The President and the Chancellor emphasized that the restoration of German national unity need give rise to no apprehension on the part of the Soviet Union as to its own security. It is not the purpose of their governments to gain any one-sided military advantage from the reunification of Germany. In conjunction with such reunification, they stand ready, as stated at the two Geneva conferences of 1955, to enter into European security arrangements which would provide far-reaching assurances to the Soviet Union.

## II.

The President and the Chancellor agreed that NATO is essential for the protection of the security of the entire free world. They agreed that the defensive strength of NATO must be further improved in the face of the continuing Soviet threat and the absence of a dependable agreement for major reductions of armaments. The German Federal Government will proceed as rapidly as possible with building up its agreed contribution to the Western collective defense system.

For the purpose of contributing its fair share to the defense of the North Atlantic area, the United States intends to maintain forces in Europe, including Germany, as long as the threat to the area exists. As the North Atlantic Council agreed at its recent meeting at Bonn, the Atlantic Alliance must be in a position to use all available means to meet any attack which might be launched against it. The availability of the most modern weapons of defense will serve to discourage any attempt to launch such an attack.

## III.

The President and the Chancellor expressed gratification over the significant progress made over the last several months toward closer economic integration in Europe. The Chancellor expressed his belief that the treaties establishing EURATOM and the European Common Market, signed at Rome on March 25 of this year, constitute a further step of historic significance toward European unity. The President expressed the great interest of the United States Government and of the American people in these treaties and his belief that their entry into force will benefit not only the people of Europe, but those of the entire world.

## IV.

The two governments are in agreement that efforts must be pressed in the United Nations to reach agreement on measures for disarmament, with respect to both conventional and nuclear weapons, under an effective system of international control.

The President and the Chancellor agreed that, if a beginning could be made toward effective measures of disarmament, this would create a degree of confidence which would facilitate further progress in the field of disarmament and in the settlement of outstanding major political problems, such as the reunification of Germany.

They agreed that if such initial steps succeed they should be followed within a reasonable time by a comprehensive disarmament agreement which must necessarily presuppose a prior solution of the problem of German reunification. Accordingly, the Chancellor advised the President, as he has the French and British Governments, that the Federal Republic would consider that the conclusion of an initial disarmament agreement might be an appropriate time for a conference on the reunification of Germany among the Foreign Ministers of the four powers responsible therefor. The United States will consult with the French and British Governments regarding this matter.

The President stressed that any measures for disarmament applicable to Europe would be accepted by the United States only with the approval of the NATO allies, which he hoped would take a leading role in this regard, and taking into account the link between European security and German reunification. He assured the Chancellor that the United States does not intend to take any action in the field of disarmament which would prejudice the reunification of Germany. He stated that the United States would consult with the German Federal Government closely on all matters affecting Germany arising in the disarmament negotiations.

WASHINGTON, D.C., 28 May 1957.

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*Berlin Declaration by the Foreign Minister of the German Federal Republic and the American, British, and French Ambassadors, on Germany, European Security, and Disarmament, July 29, 1957<sup>1</sup>*

### THE BERLIN DECLARATION

Twelve years have elapsed since the end of the war in Europe. The hopes of the peoples of the world for the establishment of a basis for a just and lasting peace have nevertheless not been fulfilled. One of the basic reasons for the failure to reach a settlement is the continued division of Germany, which is a grave injustice to the German people and the major source of international tension in Europe.

The Governments of France, the United Kingdom and the United States, which share with the Soviet Union responsibility for the reunification of Germany and the conclusion of a peace treaty, and the Government of the Federal Republic of Germany, as the only Government qualified to speak for the German people as a whole, wish to declare their views on these questions, including the question of European security, and the principles which motivate their policies in this regard.

1. A European settlement must be based on freedom and justice. Every nation has the right to determine its own way of life in freedom, to determine for itself its political, economic and social system, and to provide for its security with due regard to the legitimate interests of other nations. Justice requires that the German people be allowed to re-establish their national unity on the basis of this fundamental right.

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<sup>1</sup> Department of State press release 435, July 29, 1957.

2. The reunification of Germany remains the joint responsibility of the Four Powers who in 1945 assumed supreme authority in Germany, a responsibility which was reaffirmed in the Directive issued by the four Heads of Government in Geneva in July 1955. At the same time the achievement of German reunification requires the active cooperation of the German people as a whole under conditions ensuring the free expression of their will.

3. The unnatural division of Germany and of its capital, Berlin, is a continuing source of international tension. So long as Germany remains divided there can be no German peace treaty and no assurance of stability in Europe. The reunification of Germany in freedom is not only an elementary requirement of justice for the German people, but is the only sound basis of a lasting settlement in Europe.

4. Only a freely elected all-German Government can undertake on behalf of a reunified Germany obligations which will inspire confidence on the part of other countries and which will be considered just and binding in the future by the people of Germany themselves.

5. Such a Government can only be established through free elections throughout Germany for an all German National Assembly.

6. There should be no discrimination against a reunified Germany. Its freedom and security should not be prejudiced by an imposed status of neutralization or demilitarization. Its Government should be free to determine its foreign policy and to decide on its international associations. It should not be deprived of the right recognized in the Charter of the United Nations for all nations to participate in collective measures of self defense.

7. Re-establishment of the national unity of Germany in accordance with the freely expressed wishes of the German people would not in itself constitute a threat to Germany's neighbors nor would it prejudice their security. Nevertheless, so as to meet any preoccupation which other governments may have in this respect, appropriate arrangements, linked with German reunification, should be made which would take into account the legitimate security interests of all the countries concerned. It was for this reason that, at the Geneva Foreign Ministers' Conference, the Western Powers made proposals for a treaty of assurance on the reunification of Germany.

8. The Western Powers have never required as a condition of German reunification that a reunified Germany should join the North Atlantic Treaty Organization. It will be for the people of a reunified Germany themselves to determine through their freely elected Government whether they wish to share in the benefits and obligations of the treaty.

9. If the all German Government, in the exercise of its free choice, should elect to join NATO, the Western Powers after consultation with other members of NATO are prepared to offer on a basis of reciprocity, to the Government of the Soviet Union and the Governments of other countries of Eastern Europe which would become parties to a European security arrangement, assurances of a significant and far-reaching character. The Western Powers are also prepared, as part of a mutually acceptable European security arrangement, to give assurance that, in the event of a reunified Germany choosing to join NATO, they would not take military advantage as a result of the withdrawal of Soviet forces.

10. But the Western Powers could not contemplate that the existence of NATO itself should constitute the subject of negotiations.

11. The reunification of Germany accompanied by the conclusion of European security arrangements would facilitate the achievement of a comprehensive disarmament agreement. Conversely, if a beginning could be made toward effective measures of partial disarmament, this would contribute to the settlement of outstanding major political problems such as the reunification of Germany. Initial steps in the field of disarmament should lead to a comprehensive disarmament agreement which presupposes a prior solution of the problem of German reunification. The Western Powers do not intend to enter into any agreement on disarmament which would prejudice the reunification of Germany.

12. Any measures of disarmament applicable to Europe must have the consent of the European nations concerned and take into account the link between European security and German reunification. The Four Governments continue to hope that the Soviet Government will come to recognize that it is not in its own interest to maintain the present division of Germany. The Western Powers are ready to discuss all these questions with the Soviet Union at any time that there is a reasonable prospect of making progress. At such time there will be many points relating to the procedure for German reunification and the terms of a treaty of assurance which will be worked out by detailed negotiation.

In advance of serious negotiations the Western Powers cannot finally determine their attitude on all points. Nor can they contemplate in advance the making of concessions to which there is no present likelihood of response from the Soviet side. If negotiations are to be fruitful, both sides must approach them in a spirit of accommodation and flexibility. Through this declaration the Western Powers, in full accord with the Federal Republic, wish again to manifest their sincere desire to enter into negotiations with the Soviet Union in order to reach a European settlement and to give evidence that the paramount objective of their policy is the attainment of a just and lasting peace.

*Address by the Polish Foreign Minister (Rapacki), on Disarmament, October 2, 1957<sup>1</sup>*

119. It is the hope of the people of Poland, above all else, that the atmosphere of the current session of the General Assembly, the course of the debate, and the results achieved, will help to bring about a further relaxation in the cold war and promote constructive co-operation among nations, irrespective of their social and political systems. We are deeply convinced that in that objective, the vital interests of the Polish people are identical with the interest of all the other Members of the United Nations; and I can assure the President and all the delegations present in this hall that in that spirit the Polish delegation will do its best to make a positive contribution to the deliberations of the twelfth session, and more particularly, to the study of the problems which most directly affect us and with which we are most familiar.

<sup>1</sup> Translated from the French UN doc. A/PV 697 October 2, 1957. The address was given at the 697th plenary meeting of the General Assembly

120. In our view, the special responsibility conferred upon the great Powers under the Charter in no way limits the responsibility and the role of the smaller countries; every nation has its particular facilities for developing its relations with other nations and we feel that each nation should use them in such a way as to contribute, to the greatest extent possible, to the development of constructive co-operation, the restoration of mutual confidence and the *rapprochement* of all peoples.

121. Poland is a socialist State; and it is only because we have embarked on the path of socialism that we have been able to resolve the contradictions which held back economic, social and cultural progress in our country; only because we have taken that path have we been able to overcome the effects of the state of backwardness we inherited from the past, and to bring about the advancement of Poland in all fields. We also believe that, as a socialist State, Poland can be a positive factor in the growth of peaceful relations among nations. Strong and lasting bonds of solidarity link us with the other socialist countries, bonds forged by common needs, by the common basic problems of socialist development and by the vital interests of the Polish people.

122. At the same time, it is our aim to maintain the best possible relations with other countries. We are therefore gratified to note the recent improvement in our relations with many Western countries, as well as the continued strengthening of our friendly cooperation with many countries of Asia and Africa. There is no, and there cannot be, any contradiction between our ties and our solidarity with socialist countries and the improvement and expansion of our relations with other countries. It is essential for the favourable development of our mutual friendly relations that the countries in question realize this. I think it is also useful for an understanding of the very meaning of the concept of constructive peaceful coexistence.

123. As you know, we have launched a vigorous programme to re-organize the forms and methods of government and economic administration in Poland. We are convinced that those carefully thought out changes will enable us to make the most of the great achievements registered thus far and of the still greater future prospects of socialist development in our country with a view to enabling our people to live a better and fuller life. However, the success of this programme is dependent to a great extent on the development of the international situation.

124. We are fully aware of the difficulties in the way of any solution of the problems facing the twelfth session of the General Assembly, for we know how deep-rooted they are. No one, of course, imagines that the basic contradictions of our time can be disposed of by a kind of magic formula. Their solution is part and parcel of the historical process now taking place. Our action should therefore be determined by the realities of life and the laws of history. We should attempt, through a common effort of all peoples, to shape this historical process in the best interests of mankind; above all, we must prevent a catastrophe, the dimensions and consequences of which are unpredictable. Where our differences cannot be resolved within a reasonable time, we must reach at least partial agreements, and that is precisely where the United Nations can play a very important part.

125. The key issue before the twelfth session of this Assembly is disarmament. This is not the first time that the United Nations has had to deal with it. Towards the close of the last session, most delegations represented here expressed optimism as to the possibility of the discussions held that year leading at least to a preliminary agreement. Unfortunately, the results of the work of the Sub-Committee of the Disarmament Commission fell short of that expectation.

126. As is apparent from the way the discussions developed in the Sub-Committee in London, the primary obstacle to progress was the concept of so-called "global strategy" of the Western Powers, which assigns a vital role to nuclear weapons. We have had an eloquent example in this very hall of where such reasoning can lead. There is no point in challenging the view put forward by the Secretary of State of the United States on the humanitarian benefits which it is alleged can come out of the development of nuclear weapons. There can be no doubt that the peoples of the world prefer to have their security guaranteed by effective prohibition and destruction of nuclear weapons rather than by even the most subtle moral and religious scruples of a given government.

127. The second obstacle to the Sub-Committee's progress was the insistence of the Western Powers that concrete measures for disarmament should be conditional on the simultaneous solution of other controversial international problems.

128. Finally, the third obstacle arose from the opposition of the Federal Republic of Germany and from considerations relating to the remilitarization of Western Germany.

129. As a result of these various factors, the discussions on disarmament were protracted and it was impossible to reach even partial agreement. Meanwhile, time is running out. Every month that the armaments race continues is becoming far too costly, in all ways, for the peoples of the world.

130. We are now witnessing a transformation in the military forces of the great Powers. Conventional armaments are being replaced by nuclear weapons. There is a growing danger that other countries will also have nuclear weapons. When armies equipped with tactical nuclear weapons stand face to face, there will be a greater danger that weapons of mass destruction will be used, even in local conflicts.

131. That is another reason why, if we cannot, at this juncture, reach agreement on the permanent and absolute prohibition of the use of all nuclear weapons, we believe that the proposal of the Soviet Union stipulating that the great Powers should undertake provisionally not to use nuclear weapons for a period of at least five years is a step in the right direction. The Polish delegation will support any move to bring us closer to the basic solution of this problem.

132. We shall likewise support any step towards the discontinuance of tests of nuclear weapons as soon as possible. That is what people everywhere want; that is the conclusion to be drawn from the warnings given by the most eminent scientists. There can be no excuse for further procrastination. In our view, the discontinuance of nuclear tests is not only a first step towards their prohibition, but a very important element in the relaxation of international tension, which everybody will welcome with relief.

133. The Polish delegation will, of course, present its views on the disarmament question at greater length in the First Committee. In my comments here, I should like especially to stress the importance of the question for the most vital interests of Poland. So far as we are concerned, armaments are primarily related to the situation in Europe, in the territory of Germany on Poland's borders. The remilitarization of the Federal Republic of Germany and the concentration of arms and troops on its territory constitute a policy which is very dangerous to the cause of peace in Europe and in the world. It is all the more dangerous because we are dealing with a State in which militarist and "revanchist" trends have by no means disappeared and exert a considerable influence. Western Germany must not be allowed to become an atomic powder-keg in the middle of Europe.

134. We understand the legitimate aspirations of the German people for unification and we support them in the best interests of the whole of Europe. The example of our relations with the German Democratic Republic shows that the Polish people is capable of maintaining good neighbourly relations with the German people. We know that there is also a large sector of public opinion in the Federal Republic of Germany in favour of good relations with Poland. But the process of reunification of Germany as a peace-loving, democratic State can only develop in an atmosphere of relaxed international tension, disarmament, growing feelings of security on the part of Germany's neighbours, and by a *rapprochement* and understanding between the two German States. It cannot thrive in an atmosphere of tension, of "revanchist" demands for arms, and certainly not in the spirit of certain statements which practically advocate absorption of the German Democratic Republic by the Federal Republic and the North Atlantic Treaty Organization (NATO).

135. Existing tensions are being aggravated by revisionist claims concerning our western frontier. That frontier is final, inviolable and not open to bargaining. Any statesman with a sense of realities surely realizes that. It would be a good thing for the diplomats of the countries which wish to maintain friendly relations with Poland to draw the proper conclusions.

136. We are against the dividing of Europe into opposing military blocs. Our views regarding the North Atlantic Treaty are well known. Every Polish citizen judges NATO primarily in relation to its policy in the German question. In the face of the danger which Western Germany's armaments within NATO represent for our country and for other European countries, Poland and its allies were forced to conclude the Warsaw Treaty, which safeguards our country's security until such time as an effective system of collective security is established instead of the present division of Europe. We want such a system and will help to achieve it to the best of our ability. Until a system of collective security is created in Europe, we will support even partial solutions directed towards the same ultimate objective. We will support them whether they are part of a larger plan or the subject of separate agreements. Accordingly, we have felt and we still feel that it would be useful to set up limited and controlled armaments zones in Europe. Thus far, no progress has been made in that direction. On the contrary, there are plans afoot to equip the West German army with nuclear weapons. If these plans are carried out,

they will inevitably create more international tension and force States which feel threatened to draw their own conclusions as to strengthening their security. We should not let that situation continue. We want to help prevent such a situation. Hence I should like on behalf of my Government to make the following statement: In the interest of Poland's security and of a relaxation of tension in Europe, and after consultation with the other parties to the Warsaw Treaty, the Government of the People's Republic of Poland declares that if the two German States should consent to enforce the prohibition of the production and stockpiling of nuclear weapons in their respective territories, the People's Republic of Poland is prepared simultaneously to institute the same prohibition in its territory.

137. I am convinced that if that could be achieved, we would at least have made the first step towards solution of a problem which is vital not only to the Polish people and the German people and their mutual relations, but to the whole of Europe and to all the peoples of the world.

138. One of the great historical processes of our time is the liberation of the dependent and colonial peoples, their organization and development as independent States. That is a phenomenon that can neither be halted nor reversed. Any such attempt would merely create new danger spots and fresh conflicts. We are now confronted with a dangerous situation of this kind in the Near East. Threats and pressures being brought against Syria are causing special concern. The only way to resolve this and similar conflicts is by adhering to the principle of the self-determination of peoples, by recognizing fully the right of independent States to shape their internal and external relations, and by seeking agreement on the basis of those principles.

139. The elimination of danger spots and of threats to world peace is one aspect of the problem. The other is the achievement of constructive co-operation among nations, irrespective of their structure and levels of economic development. Poland is very anxious to develop its economic relations with all countries to the full. We want to participate as actively as possible in international economic co-operation. That is why we are keenly interested in the development of the world economic situation and in the activity of international economic organizations. There have recently been certain developments favourable to world economic relations generally in the form of trade between certain capitalist countries and certain socialist countries of Europe and Asia, but the progress made is still too limited and discriminatory trade practices are still being applied to socialist countries. At the same time, the disparity in capitalist countries between the rich economically-developed countries and the scores of under-developed countries and territories, instead of disappearing, is increasing from year to year. Nearly half the people of the world, living in economically under-developed countries, still have no prospect of a more rapid rise in their living standards.

140. A group of the richest and economically most developed Western countries have thus far been able to maintain a relatively high level of production and employment; but they have refused to participate in a broader comprehensive international programme which would affect the whole world economy. They isolate themselves in a

series of exclusive organizations and institutions which are often the counterparts of the blocs they themselves have created.

141. The arms race is creating more and more difficulties, serious difficulties. Even today, in many capitalistic countries of the West, Governments are being warned that it is becoming increasingly difficult to maintain production and employment by present methods. We have heard such warnings in the course of this debate. We have only to glance at the daily press to realize the anxiety caused by the recent rise in the inflationary trend. Voices are being raised asserting that a halt to the arms race and the productive use of the economic resources of certain countries—especially the economically underdeveloped countries—would help to overcome many of the current economic difficulties more effectively and more permanently than any temporary boom created by an armaments race.

142. In some capitalist countries, there is a growing trend in favour of expanding trade with the socialist countries.

143. We believe that the United Nations should act more forcefully to strengthen economic co-operation between countries with different political systems and at different levels of economic development.

144. A genuine effort should be made to encourage more vigorous practical action on the part of the Economic and Social Council. Here in the United Nations and not outside it, we should work out a system of international consultations and later, international action. The consultations would embrace the main problem of world economy and its harmonious development. Such a programme, under the aegis of the United Nations, would substantially help the economically underdeveloped countries in their fight for economic and social progress.

145. The proposed Special United Nations Fund for Economic Development meets precisely those objections, *inter alia*.

146. We feel that the work of the regional economic commissions, which are more familiar than anyone else with the specific needs and problems of their respective regions, should be intensified.

147. Apart from the problems affecting large regions, particular groups of States have their own problems of neighbourly co-operation. Poland is especially interested in the Baltic region. One or more agreements concluded by the countries of the Baltic region on economic, cultural and scientific questions, might serve as a model for a system of regional arrangements based on vital common needs, and become a concrete illustration of peaceful constructive coexistence.

148. Peaceful coexistence, in its broadest sense, should be the kernel of all the work of the United Nations. The term expresses the manner in which peoples must live together in this era if it is to be an era of unprecedented progress and not an era of disaster.

149. The principles of peaceful coexistence contained in the declarations of China and India, in other bilateral declarations, and then proclaimed at the historic Bandung Conference, have become crystallized generally in recommendations for mutual respect for territorial integrity, national sovereignty, non aggression, non intervention in the internal affairs of States, equality and peaceful coexistence. They are accepted today by thirty seven countries of Europe, Asia and Africa. Their importance for proper international relations has also been recognized by Poland in a series of bilateral acts. Poland is gratified, therefore, that the item has been placed on the agenda of the current session.

150. It would be difficult to refrain from the bitter comment: that this session has rejected the proposal of India, one of the co-authors of the historic principles of peaceful coexistence, that the United Nations should recognize the legitimate rights of the People's Republic of China, the other co-author of those principles.

151. I have presented Poland's views on the problems of international policy which are most important to it. The Polish people are watching the deliberations of the current session of the General Assembly very closely. I believe that all peoples will judge the results of our work by the same standard: whether or not this session will represent at least a small but definite step towards strengthening and stabilizing peace. It is the desire and hope of my delegation that its efforts towards achieving that end may anticipate those of other delegations.

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***Letter from Premier Bulganin to President Eisenhower, on European Security, the Rapacki Plan, and Disarmament, December 10, 1957<sup>1</sup>***

I am addressing this letter to you in order to share with you certain thoughts regarding the international situation which is developing at the present time. The Soviet Government has recently examined the international situation in all its aspects. In doing so, we could not of course fail to give serious attention to the fact that at the initiative of the United States of America and Great Britain measures are now being developed the purpose of which is a sharp intensification of the military preparations of the NATO members, and that specific plans are being considered in connection with the forthcoming session of the NATO Council.

It is already evident that these measures in their essence amount to the mobilization of all the resources of the member states of NATO for the purpose of intensifying the production of armaments and for preparations in general for war. The NATO leaders openly state that at the forthcoming session military and strategic plans providing for extensive use of atomic and hydrogen weapons will be considered.

It is also very obvious that all such activity is taking place in an atmosphere of artificially created nervousness and fear with respect to the imaginary "threat" from the U.S.S.R., and, in the effort to create such an atmosphere, particularly wide use is being made of references to the latest scientific and technical achievements of the Soviet Union.

In our view there is serious danger that, as a result of such actions, international developments may take a direction other than that required in the interest of the strengthening of peace.

On the other hand, in all states of the world there is a growing and spreading movement for a termination of the armaments race, and for averting the threat of an outbreak of a new war. Peoples are demanding that a policy be followed whereby states may live in peace, respecting mutual rights and interests and deriving advantage

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<sup>1</sup> *Department of State Bulletin*, January 27, 1958, pp. 127-130. The President replied on January 12, 1958 (*infra*).

from cooperation with one another, instead of sharpening their knives against one another.

All of this leads us to the conviction that in the development of the international situation a moment of great responsibility has arrived.

We feel that in this situation the responsibility that rests upon the government of every state in determining its future foreign policy is greater than ever before. Especially great is the responsibility of the governments of the great powers.

I must frankly say to you, Mr President, that the reaction of certain circles in your country and in certain other NATO countries regarding the recent accomplishments of the U.S.S.R. in the scientific and technical field, and regarding the launching, in connection with the program of the International Geophysical Year, of the Soviet artificial earth satellites in particular, appears to us a great mistake.

Of course, the launching of artificial earth satellites bears witness to the great achievements of the U.S.S.R., both in the field of peaceful scientific research and in the field of military technology. However, it is well known that the U.S.S.R. has insisted and still insists that neither ballistic missiles nor hydrogen and atomic bombs should ever be used for purposes of destruction, and that so great an achievement of the human mind as the discovery of atomic energy should be put to use entirely for the peaceful development of society. The Soviet Union has no intention of attacking either the U.S.A. or any other country. It is calling for agreement and for peaceful coexistence. The same position is held by many states, including the Chinese People's Republic and other socialist countries.

On the other hand, in the present situation the governments of the Western powers are making the decision to step up the armaments race still further and are following the line of intensifying the "cold war". It is our deep conviction that nothing could be more dangerous to the cause of world peace.

First of all, who can guarantee, if the present competition in the production of ever newer types of weapons is continued and assumes still greater proportions, that it will be the NATO members who are the winners in such a competition? I do not even mention the fact that the armaments race in itself is not only becoming an increasingly heavy burden on the shoulders of peoples but is also still further magnifying the danger of an outbreak of war.

Let us suppose that, in calling for further development of military preparations with special emphasis on the creation of new types of weapons of mass destruction, the American military leaders expect to achieve some success. But nothing can change the fact that even with the present status of military technology a situation has developed for the first time in history where in the event of war the territory of none of the great powers will any longer be in privileged position that would spare it from becoming one of the theaters of war from the very beginning of the conflict. Nothing is changed in this respect, even by the fact that the U.S.A. has a network of far advanced military bases, nor by plans to use territories and military potential of Western European allies.

At the present time in the United States of America there has been proclaimed the thesis of "interdependence" of the countries members of NATO. A new and increased contribution to the military prepara-

tions of this alliance is expected of them. No little pressure is being exerted upon them to obtain consent for the stationing of nuclear and rocket weapons in their territory.

Apparently for the purpose of reducing the dangers which are fully understandable and are caused in these countries by the prospect of having nuclear weapons stationed in their territory, military circles in the West are attempting to implant the idea that the so-called "tactical" atomic weapons are not very different from conventional types of weapons and that their use would not entail as destructive results as that of atomic and hydrogen bombs. One cannot fail to see that such reasoning, designed to mislead public opinion, constitutes a dangerous attempt to justify preparation for unleashing an atomic war.

Where can all this lead?

The military situation of the U.S.A. itself, in our opinion, will in no way improve as a result of this; the U.S.A. will become no less vulnerable, while the danger of war will increase still further.

It is doubtful that such a policy would even lead to a strengthening of relations between the U.S.A. and its European allies. The contrary might be true, for in the last analysis no country can be content with a situation where it is compelled to sacrifice its independence for the sake of strategic plans that are alien to its national interests and to risk receiving a blow because of the fact that foreign military bases are situated in its territory.

As for plans to transfer nuclear weapons to allies of the U.S.A. in Europe, such a step can only further aggravate an already complicated situation on that continent, initiating a race in atomic armaments among European states.

One likewise cannot fail to take into account, for example, the fact that the placing of nuclear weapons at the disposal of the Federal Republic of Germany may set in motion such forces in Europe and entail such consequences as even the NATO members may not contemplate.

One of the arguments advanced in military circles in the West to justify the demand for expanding military preparations is the so-called theory of "local wars." It must be most strongly emphasized that this "theory" is not only absolutely invalid from the military standpoint but it also extremely dangerous politically. In the past too, as we all know, global wars have been set off by "local" wars. Is it possible to count seriously on the possibility of "localizing" wars in our time when there exist military groupings opposing one another in the world and including dozens of states in various parts of the world, and when the range of modern types of weapons does not know any geographic limits?

One's attention is also attracted by reports regarding the existence of plans for combining in some form the military blocs created by the Western powers in various parts of the world—NATO, SEATO, and the Baghdad Pact. I cannot but say to you, Mr. President, that we evaluate the development of such plans as a trend directly opposed to the principles of a joint strengthening of international peace and security, in the name of which the U.N. was created with the active participation of our two countries. In fact, if even now the existence of so-called military blocs exerts a baneful influence on the entire

international situation, then it is completely obvious that an attempt to bring states together, to include those of several continents in a program which in essence amounts to joint preparation for a new war, would mean undermining the U.N. and would inflict irreparable damage upon it.

We are of course aware that the plans for further intensification of military preparations are represented as plans directed toward insuring the security of the Western powers and toward the strengthening of peace. However, the leaders of such countries as the United States and the Soviet Union bear too great a responsibility not to attempt to approach the evaluation of this or that course of foreign policy without prejudice, objectively, and taking into consideration the facts as they actually exist, and historic experience. After all, does not the whole experience of the development of international relations during the past decade indicate that the thesis that peace and the security of nations can be insured by means of intensified armament and of "cold war" or through a "brink of war" policy has absolutely no basis?

The last ten years have been characterized by the policy of "a position of strength" and "cold war" proclaimed by certain circles in the West.

During all these years the minds of men in the West have been poisoned by intensive propaganda, which, day after day, has implanted the thought of the inevitability of a new war and the necessity of intensified preparations for war. This propaganda for war, which contributed not a little toward aggravating the international situation and undermining confidence in the relations between states, is one of the chief elements of the policy of "a position of strength."

Today the entire world is witness to the fact that this policy has not produced any positive results, even for those powers which have for such a long time and so insistently been following it, and which have confronted mankind with the threat of a new war, the terrible consequences of which would exceed anything that can be pictured by the human imagination.

It is not by accident that the voices in the world which call for an end to propaganda for war, an end to the "cold war," an end to the unrestrained armaments race and an entry upon the path of peaceful coexistence of all states are becoming louder and louder. The idea of peaceful coexistence is becoming more and more an imperative demand of the historical moment through which we are passing.

It is well known that the most rabid champions of the "cold war" are trying to picture this demand as "Communist propaganda." We Communists do not of course deny that we stand wholeheartedly for a program of peaceful coexistence, for a program of peaceful and friendly cooperation among all countries, and we are proud of it. But are we the only ones with such a program? Are all those statesmen and public figures of India, Indonesia, Great Britain, France, and other countries who insistently and ardently call for the renunciation of the "policy of strength" for peaceful coexistence also Communists? And do not their voices express the attitude and the will of millions and millions of people?

It seems to us that at the present time the international situation has become such that the actions taken by states in the very near

future, and primarily by the great powers, will to a considerable extent determine the answer to the main question which so deeply concerns all mankind, namely:

Will the movement in the direction of a war catastrophe continue, and with ever increasing velocity, or will those who are responsible for the policy of states enter upon the only sensible path of peaceful coexistence and cooperation between all states?

After all, for this it is necessary only to cast a sober look at the present situation, to recognize in fact that every country has the right to choose its own form of government and its own economic system; to renounce any attempt to settle international questions by force; to renounce war once and for all as a means of solving international disputes; and to build relations between states on the basis of equality, respect for the independence of each state, and noninterference in the internal affairs of one another, on the basis of mutual benefit.

If one proceeds from the premise of insuring universal peace, it is necessary, in our opinion, to recognize quite definitely the situation that has developed in the world where capitalist and socialist states exist. None of us can fail to take into account the fact that any attempts to change this situation by external force, and to upset the *status quo*, or any attempts to impose any territorial changes, would lead to catastrophic consequences.

I am well aware, Mr. President, that in your statements you have repeatedly expressed the thought that no durable peace can be based on an armaments race and that you strongly desire peace and co-operation with other countries, including the Soviet Union. This was also stated in your conversation with N. S. Khrushchev and myself during the Geneva Conference of the Heads of Government of the Four Powers in the summer of 1955. Unfortunately, however, it must be said that in practice all the steps taken by the Soviet Government to improve relations with the United States have not up to now met with a positive response on the part of the Government of the United States of America.

Meanwhile, the present state of Soviet-American relations cannot give any satisfaction either to the Soviet people or, it seems to us, to the American people. The tense and even almost hostile character which these relations very often assume cannot be justified from a political, economic, or moral viewpoint. It is an inherently absurd situation when two gigantic countries which have at their disposal everything that is necessary for their economic development, which have repeatedly and successfully cooperated in the past, and which, we are convinced, even now have no irreconcilable conflicts of interest, have been as yet unable to normalize their mutual relations.

This problem is all the more significant because the fate of universal peace depends to a high—probably even decisive—degree on the state of mutual relations between our countries under present conditions. For this very reason, it is especially important that our two countries display initiative and take the step which peoples have already been awaiting for a long time, namely, breaking the ice of the “cold war”

For this the necessary prerequisites exist. I have no doubt that the American people do not want a new war any more than the Soviet people do. Our countries, in close cooperation, achieved victory in the struggle against Hitlerite aggression. Is it possible that now,

when prevention of the universal calamity of a new war depends to such an enormous degree upon our countries, we should fail to find within ourselves the courage to face the facts clearly and be able to unite our efforts in the interests of peace?

A consciousness of the gravity of the present situation and a deep concern for the preservation of peace prompts us to address to you, Mr. President, an appeal to undertake joint efforts to put an end to the "cold war," to terminate the armaments race, and to enter resolutely upon the path of peaceful coexistence.

Allow me to set forth what exactly, in our opinion, might be done in this respect.

We regret that, because of the position taken by the Western powers, the disarmament negotiations did not bring about successful results. The Soviet Union is, as before, prepared to come to an agreement concerning effective disarmament measures. It depends on the Western powers whether the disarmament negotiations will be directed into the proper channel or whether this problem will remain in a deadlock.

We must recognize that the achievement of an agreement on disarmament is hindered by the fact that the sides which take part in the negotiations lack the necessary confidence in each other. Is it possible to do something to create such confidence? Of course it is possible.

We propose the following things. Let us jointly, with the Government of Great Britain, undertake for the present only an obligation not to use nuclear weapons, and let us announce the cessation, as of January 1, 1958, of test explosions of all types of such weapons, at the beginning at least for two or three years.

Let us jointly, with the Government of Great Britain, agree to refrain from stationing any kind of nuclear weapons whatsoever within the territory of Germany—West Germany as well as East Germany. If this agreement is supplemented by an agreement between the Federal Republic of Germany and the German Democratic Republic on renunciation of the production of nuclear weapons and on the non-stationing of such weapons in Germany, then, as has already been officially declared by the Governments of Poland and Czechoslovakia, these states likewise will not produce or station nuclear weapons in their territories. Thus would be formed in Central Europe a vast zone with a population of over one hundred million people excluded from the sphere of atomic armaments—a zone where the risk of atomic warfare would be reduced to a minimum. Let us develop and submit to the member states of NATO and the Warsaw Pact for consideration a joint proposal for the conclusion of some form of nonaggression agreement between these two groupings of states.

In order to normalize the situation in the Near and Middle East, let us agree not to undertake any steps that violate the independence of the countries of this area, and let us renounce the use of force in the settlement of questions relating to the Near and Middle East.

Let us conclude an agreement that would proclaim the firm intention of our two states to develop between them relations of friendship and peaceful cooperation. It is time to take measures to halt the present propaganda in the press and on the radio which generates feelings of mutual distrust, suspicion, and ill will.

It is also necessary to reestablish the conditions for a normal development of trade relations between our countries, since mutually ad-

vantageous trade is the best foundation for the development of relations between states and the establishment of confidence between them.

Let us do everything possible to broaden scientific, cultural, and athletic ties between our two countries. One can imagine what fruitful results might follow, for example, from the cooperation between Soviet and American scientists in the matter of further harnessing the elemental powers of nature in the interest of man.

There is no doubt whatsoever that the implementation of the above-mentioned measures, which would in no way harm either the security or the other interests of any state, would be of enormous significance to the promotion of a wholesome atmosphere in the entire international situation and to the creation of a climate of trust between states, without which one cannot even speak of insuring a lasting peace among peoples.

The creation of the necessary trust in relations between states would then make possible to proceed with the implementation of such radical measures as a substantial reduction in armed forces and armaments, the complete prohibition of nuclear weapons, the cessation of their production and the destruction of stockpiles, the withdrawal of foreign armed forces from the territories of all states, including the member states of NATO and of the Warsaw Pact, and replacement of the existing military groupings of states with a collective security system.

The critical period in the development of international relations in which we are now living makes it necessary, perhaps as never before, to adopt realistic decisions that would be in accord with the vital interests and the will of peoples. The experience of the past tells us how much can be done for the benefit of peoples by statesmen who correctly understand the demands of the historic moment and act in accordance with those demands.

Knowing you, Mr. President, as a man of great breadth of vision and peace-loving convictions, I hope that you will correctly understand this message and, conscious of the responsibility which rests with the leaders of the United States of America and the Soviet Union in the present situation, will manifest a readiness to combine the efforts of our two countries for the noble purpose of turning the course of events in the direction of a durable peace and friendly cooperation among nations.

Attaching great importance to personal contacts between statesmen, which facilitate finding a common point of view on important international problems, we, for our part, would be prepared to come to an agreement on a personal meeting of state leaders to discuss both the problems mentioned in this letter and other problems. The participants in the meeting could agree upon these other subjects that might need to be discussed.

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*Statement by President Eisenhower, on German Reunification and Berlin, December 16, 1957.<sup>1</sup>*

[Extract]

While we can hope for progress and while our London first-step disarmament proposals were offered without political conditions, we

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<sup>1</sup> Ibid., January 6, 1958, pp. 6-7. The statement was made at the first plenary session of the NATO Heads of Government Meeting.

cannot ignore the fact that arms reduction has rarely occurred in the face of acute political tensions and of grave international injustices.

One such injustice afflicts deeply one of our NATO members, the Federal Republic of Germany. I should like to reiterate most solemnly our abiding determination that Germany shall be peacefully reunited in freedom. At the summit conference over 2 years ago this was formally and solemnly promised to us by Mr. Khrushchev and Mr. Bulganin. Unhappily, that promise has been repudiated at the cost of the international confidence which the Soviet rulers profess to desire. Likewise, I cannot let this occasion pass without recalling our common concern over the status of Berlin. The clear rights there of the Western Powers must be maintained. Any sign of Western weakness at this forward position could be misinterpreted with grievous consequences.

*Remarks at News Conference by Secretary of State Dulles, on German Reunification, January 10, 1958<sup>1</sup>*

[Extracts]

Q. Mr. Secretary, you and the President have emphasized on a number of occasions the need for an act of good faith on the part of the Russians as a prerequisite for some NATO negotiation, Summit meeting, or something of that kind. Could you give us your most realistic definition of what you would consider an act of good faith on the part of the Russians?

A. The most realistic and encouraging act would be the carrying out of some of the prior agreements that have been made and most particularly I would say the agreement which was arrived at at the last Summit meeting with the Soviets. There it was stated that the Four Powers recognize their common responsibility for the German problem and the reunification of Germany and agree that Germany shall be reunified by free elections. That agreement was the principal product of the Geneva Summit meeting. Since then the Soviet Union has taken the position that it had no further responsibility for the reunification of Germany and that in any event that reunification by free elections was not an acceptable method. Now that certainly throws doubt upon the worthwhileness of these meetings. You may recall that that Summit meeting was preceded by the consummation of the Austrian State Treaty, a matter where the Soviet Union had been seriously in default. Finally, as a result of many meetings that we had on the subject, it finally agreed to the State Treaty, and that was consummated on the 15th of May, 1955. That created a condition which made it seem worthwhile to have a Summit meeting. It was in that environment that the July meeting was held. But that July meeting in turn produced agreement which apparently has, so far, certainly been repudiated by the Soviets and I would think that at least one possible act of good faith would be to indicate a willingness to carry through on the prior agreement. I don't want to suggest that that is an absolute condition precedent. But you asked me for what might be an act which would make another Summit meeting seem worthwhile. Certainly that would be such an act.

<sup>1</sup> Department of State press release 7, January 10, 1958.

Q. If I might follow up just one point, sir, is it the position of this Government officially that Russia has repudiated, as you indicated a moment ago, the Geneva Summit Conference in terms of an agreement on Germany? I ask that for the specific reason that there seems to have been a great deal of lack of unanimity of interpretation as to whether indeed the Four Powers did agree at Geneva to a workable reunification of Germany.

A. Well, the Four Powers agreed to what I said—I think I quoted it almost verbatim—agreed that “the reunification of Germany by free elections shall be carried out in conformity with the national interests of the German people and the interests of European security.” That is a quote of the agreement. Now, following that, and indeed including recent times, not only at the Foreign Ministers meeting, which shortly followed the Summit Conference, but in a more recent press conference that Mr. Gromyko held in Moscow just before he came to the United Nations, the Soviet Union asserted that it had no responsibility for the reunification of Germany and they earlier had said that reunification by means of free elections was an artificial, mechanistic, way which would not preserve the “social gains” that had been attained in East Germany and therefore was unacceptable.

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Q. Mr. Secretary, on the German question, a while back you were asked about the proposal to neutralize Germany and your answer, if I understood you, was that this was a topic currently under discussion at the NATO conference. Would you expand on that? Are you referring to the so-called Polish plan for a nuclear-free zone or to some other measure or do you consider the Polish Plan itself to be neutralization?

A. I assume the question related, as indeed my reply related, primarily to the Polish proposal which was repeated more or less in the Bulganin letter. As you point out, that was not a proposal for total neutralization, but partial neutralization, you might say, in the terms of the elimination from the area of nuclear weapons, missiles, and the like.

I might add, however, that it seems to be the opinion of some, at least, of our allies that such a step would in practice be indistinguishable from an almost total neutralization of the area because, if it is not possible to have in the area modern weapons then it might be imprudent to maintain any forces in the area at all because they would be in a very exposed position.

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*Letter from President Eisenhower to Premier Bulganin, on Germany, European Security, and Disarmament, January 12, 1958<sup>1</sup>*

When on December 10 I received your communication, I promptly acknowledged it with the promise that I would in due course give you a considered reply. I now do so.

Your communication seems to fall into three parts: the need for peace; your contention that peace is endangered by the collective self-

<sup>1</sup> Department of State Bulletin, January 27, 1958, pp. 122-127.

defense efforts of free world nations; and your specific proposals. I shall respond in that same order and make my own proposals.

## I.

Peace and good will among men have been the heartfelt desire of peoples since time immemorial. But professions of peace by governmental leaders have not always been a dependable guide to their actual intentions. Moreover, it seems to me to be profitless for us to debate the question of which of our two governments wants peace the more. Both of us have asserted that our respective peoples ardently desire peace and perhaps you and I feel this same urge equally. The heart of the matter becomes the determination of the terms on which the maintenance of peace can be assured, and the confidence that each of us can justifiably feel that these terms will be respected.

In the United States the people and their government desire peace and in this country the people exert such constitutional control over government that no government could possibly initiate aggressive war. Under authority already given by our Congress, the United States can and would respond at once if we or any of our allies were attacked. But the United States cannot initiate war without the prior approval of the peoples' representatives in the Congress. This process requires time and public debate. Not only would our people repudiate any effort to begin an attack, but the element of surprise, so important in any aggressive move, would be wholly lacking. Aggressive war by us is not only abhorrent; it is impractical and impossible.

The past forty years provide an opportunity to judge the comparative peace records of our two systems. We gladly submit our national record for respecting peace to the impartial judgment of mankind. I can assure you, Mr. Chairman, that in the United States the waging of peace has priority in every aspect, and every element, of our national life.

## II.

You argue that the danger of war is increased because the United States and other free world nations seek security on a collective basis and on the basis of military preparedness. Three times in this century wars have occurred under circumstances which strongly suggest, if indeed they do not prove, that war would not have occurred had the United States been militarily strong and committed in advance to the defense of nations that were attacked.

On each of these three occasions when war came, the United States was militarily unprepared, or ill-prepared, and it was not known that the United States would go to the aid of those subjected to armed aggression. Yet now it appears, Mr. Chairman, that you contend that weakness and disunity would make war less likely.

I may be permitted perhaps to recall that in March 1939, when the Soviet Union felt relatively weak and threatened by Fascist aggression, it contended that aggression was rife because "the majority of the non-aggressive countries, particularly England and France, have rejected the policy of collective security", and Stalin went on to say that the policy of "Let each country defend itself as it likes and as

best it can \* \* \* means conniving at aggression, giving free rein to war."

Now the Soviet Union is no longer weak or confronted by powerful aggressive forces. The vast Sino-Soviet bloc embraces nearly one billion people and large resources. Such a bloc would of course be dominant in the world were the free world nations to be disunited.

It is natural that any who want to impose their system on the world should prefer that those outside that system should be weak and divided. But that expansionist policy cannot be sanctified by protestations of peace.

Of course the United States would greatly prefer it if collective security could be obtained on a universal basis through the United Nations.

This was the hope when in 1945 our two governments and others signed the Charter of the United Nations, conferring upon its Security Council primary responsibility for the maintenance of international peace and security. Also, by that Charter we agreed to make available to the Security Council armed forces, assistance and facilities so that the Council could maintain and restore international peace and security.

The Soviet Union has persistently prevented the establishment of such a universal collective security system and has, by its use of the veto—now 82 times—made the Security Council undependable as a protector of the peace.

The possibility that the Security Council might become undependable was feared at the San Francisco Conference on World Organization, and accordingly the Charter recognized that, in addition to reliance on the Security Council, the nations possessed and might exercise an inherent right of collective self-defense. It has therefore been found not only desirable but necessary, if the free nations are to be secure and safe, to concert their defensive measures.

I can and do give you, Mr. Chairman, two solemn and categorical assurances.

(1) *Never* will the United States lend its support to any aggressive action by any collective defense organization or any member thereof;

(2) *Always* will the United States be ready to move toward the development of effective United Nations collective security measures in replacement of regional collective defense measures.

I turn now to consider your specific proposals.

### III.

I am compelled to conclude after the most careful study of your proposals that they seem to be unfortunately inexact or incomplete in their meaning and inadequate as a program for productive negotiations for peace.

You first seem to assume that the obligations of the charter are nonexistent and that the voice of the United Nations is nothing that we need to heed.

You suggest that we should agree to respect the independence of the countries of the Near and Middle East and renounce the use of force in the settlement of questions relating to the Near and Middle East. But by the Charter of the United Nations we have

already taken precisely those obligations as regards all countries, including those of the Near and Middle East. Our profound hope is that the Soviets feel themselves as bound by the provisions of the Charter as, I assure you, we feel bound.

You also suggest submitting to the member states of NATO and the Warsaw Pact some form of non-aggression agreement. But all of the members of NATO are already bound to the United Nations Charter provision against aggression.

You suggest that the United States, the United Kingdom and the Soviet Union should undertake not to use *nuclear* weapons. But our three nations and others have already undertaken, by the Charter, not to use *any* weapons against the territorial integrity or political independence of any state. Our profound hope is that no weapons will be used in any country for such an indefensible purpose and that the Soviet Union will feel a similar aversion to any kind of aggression.

You suggest that we should proclaim our intention to develop between us relations of friendship and peaceful cooperation. Such an intention is indeed already proclaimed by us between ourselves and others by the Charter of the United Nations to which we have subscribed. The need is, not to repeat what we already proclaim, but, Mr Chairman, to take concrete steps under the present terms of the Charter, that will bring about these relations of friendship and peaceful cooperation. As recently as last November, the Communist Party of the Soviet Union signed and proclaimed to the world a declaration which was designed to promote the triumph of Communism throughout the world by every means not excluding violence, and which contained many slanderous references to the United States. I am bound to point out that such a declaration is difficult to reconcile with professions of a desire for friendship or indeed of peaceful coexistence. This declaration makes clear where responsibility for the "Cold War" lies.

You propose that we broaden the ties between us of a "scientific, cultural and athletic" character. But already our two countries are negotiating for peaceful contacts even broader than "scientific, cultural and athletic". We hope for a positive result, even though in 1955, after the Summit Conference when negotiations for such contacts were pressed by our Foreign Ministers at Geneva, the accomplishments were zero. It is above all important that our peoples should learn the true facts about each other. An informed public opinion in both our countries is essential to the proper understanding of our discussions.

You propose that we develop "normal" trade relations as part of the "peaceful cooperation" of which you speak. We welcome trade that carries no political or warlike implications. We do have restrictions on dealings in goods which are of war significance, but we impose no obstacles to peaceful trade.

Your remaining proposals relate to armament. In this connection, I note with deep satisfaction that you oppose "competition in the production of ever newer types of weapons". When I read that statement I expected to go on to read proposals to stop such production. But I was disappointed.

You renew the oft-repeated Soviet proposal that the United States, the United Kingdom and the Soviet Union should cease for two or three years to test nuclear weapons, and you suggest that nuclear weapons should not be stationed or produced in Germany. You add the possibility that Poland and Czechoslovakia might be added to this non-nuclear weapons area.

These proposals do not serve to meet the real problem of armament. The heart of that problem is, as you say, the mounting *production*, primarily by the Soviet Union and the United States, of new types of weapons.

Your proposal regarding Central Europe will of course be studied by NATO and the NATO countries directly involved from the standpoint of its military and political implications. But there cannot be great significance in de-nuclearizing a small area when, as you say, "the range of modern types of weapons does not know of any geographical limit", and when you defer to the indefinite future any measures to stop the production of such weapons.

I note, furthermore, that your proposal on Germany is in no way related to the ending of the division of that country but would, in fact, tend to perpetuate that division. It is unrealistic thus to ignore the basic link between political solutions and security arrangements.

Surely, Mr Chairman, at a time when we share great responsibility for shaping the development of the international situation, we can and must do better than what you propose.

In this spirit, I submit some proposals of my own.

#### IV.

(1) I propose that we strengthen the United Nations.

This organization and the pledges of its members embodied in the Charter constitute man's best hope for peace and justice. The United States feels bound by its solemn undertaking to act in accordance with the Principles of the Charter. Will not the Soviet Union clear away the doubt that it also feels bound by its Charter undertakings? And may we not perhaps go further and build up the authority of the United Nations?

Too often its recommendations go unheeded.

I propose, Mr. Chairman, that we should rededicate ourselves to the United Nations, its Principles and Purposes and to our Charter obligations. But I would do more.

Too often the Security Council is prevented, by veto, from discharging the primary responsibility we have given it for the maintenance of international peace and security. This prevention even extends to proposing procedures for the pacific settlement of disputes.

I propose that we should make it the policy of our two governments at least not to use veto power to prevent the Security Council from proposing methods for the pacific settlement of disputes pursuant to Chapter VI.

Nothing, I am convinced, would give the world more justifiable hope than the conviction that both of our governments are genuinely determined to make the United Nations the effective instrument of peace and justice than was the original design.

(2) If confidence is to be restored, there needs, above all, to be confidence in the pledged word. To us it appears that such confidence

is lamentably lacking. That is conspicuously so in regard to two areas where the situation is a cause of grave international concern.

I refer first of all to Germany. This was the principal topic of our meeting of July 1955 and the only substantive agreement which was recorded in our agreed Directive was this.

The Heads of Government, recognizing their common responsibility for the settlement of the German question and the reunification of Germany, have agreed the settlement of the German question and the re-unification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security.

In spite of our urging, your government has, for now two and one half years, taken no steps to carry out that agreement or to discharge that recognized responsibility. Germany remains forcibly divided.

This constitutes a great error, incompatible with European security. It also undermines confidence in the sanctity of our international agreements.

I therefore urge that we now proceed vigorously to bring about the reunification of Germany by free elections, as we agreed, and as the situation urgently demands.

I assure you that this act of simple justice and of good faith need not lead to any increased jeopardy of your nation. The consequences would be just the opposite and would surely lead to greater security. In connection with the reunification of Germany, the United States is prepared, along with others, to negotiate specific arrangements regarding force levels and deployments, and broad treaty undertakings, not merely against aggression but assuring positive reaction should aggression occur in Europe.

The second situation to which I refer is that of the countries of Eastern Europe. The Heads of our two Governments, together with the Prime Minister of the United Kingdom, agreed in 1945 that the peoples of these countries should have the right to choose the form of government under which they would live, and that our three countries had a responsibility in this respect. The three of us agreed to foster the conditions under which these peoples could exercise their right of free choice.

That agreement has not as yet been fulfilled.

I know that your government is reluctant to discuss these matters or to treat them as a matter of international concern. But the Heads of Governments did agree at Yalta in 1945 that these matters were of international concern and we specifically agreed that there could appropriately be international consultation with reference to them.

This was another matter taken up at our meeting in Geneva in 1955. You then took the position that there were no grounds for discussing this question at our conference and that it would involve interference in the internal affairs of the Eastern European states.

But have not subsequent developments shown that I was justified in my appeal to you for consideration of these matters? Surely the Hungarian developments and the virtually unanimous action of the United Nations General Assembly in relation thereto show that conditions in Eastern Europe are regarded throughout the world as much more than a matter of purely domestic scope.

I propose that we should now discuss this matter. There is an intrinsic need of this in the interest of peace and justice, which seems to me compelling.

(3) I now make, Mr. Chairman, a proposal to solve what I consider to be the most important problem which faces the world today.

(a) I propose that we agree that outer space should be used only for peaceful purposes. We face a decisive moment in history in relation to this matter. Both the Soviet Union and the United States are now using outer space for the testing of missiles designed for military purposes. The time to stop is now.

I recall to you that a decade ago, when the United States had a monopoly of atomic weapons and of atomic experience, we offered to renounce the making of atomic weapons and to make the use of atomic energy an international asset for peaceful purposes only. If only that offer had been accepted by the Soviet Union, there would not now be the danger from nuclear weapons which you describe.

The nations of the world face today another choice perhaps even more momentous than that of 1948. That relates to the use of outer space. Let us this time, and in time, make the right choice, the peaceful choice.

There are about to be perfected and produced powerful new weapons which, availing of outer space, will greatly increase the capacity of the human race to destroy itself. If indeed it be the view of the Soviet Union that we should not go on producing ever newer types of weapons, can we not stop the production of such weapons which would use or, more accurately, misuse, outer space, now for the first time opening up as a field for man's exploration? Should not outer space be dedicated to the peaceful uses of mankind and denied to the purposes of war? That is my proposal.

(b) Let us also end the now unrestrained production of nuclear weapons. This too would be responsive to your urging against "the production of ever newer types of weapons". It is possible to assure that newly produced fissionable material should not be used for weapons purposes. Also existing weapons stocks can be steadily reduced by ascertainable transfers to peaceful purposes. Since our existing weapons stocks are doubtless larger than yours we would expect to make a greater transfer than you to peaceful purposes stocks. I should be glad to receive your suggestion as to what you consider to be an equitable ratio in this respect.

(c) I propose that, as part of such a program which will reliably check and reverse the accumulation of nuclear weapons, we stop the testing of nuclear weapons, not just for 2 or 3 years, but indefinitely. So long as the accumulation of these weapons continues unchecked, it is better that we should be able to devise weapons which will be primarily significant from a military and defensive standpoint and progressively eliminate weapons which could destroy, through fallout, vast segments of human life. But if the production is to be stopped and the trend reversed, as I propose, then testing is no longer so necessary.

(d) Let us at the same time take steps to begin the controlled and progressive reduction of conventional weapons and military manpower.

(e) I also renew my proposal that we begin progressively to take measures to guarantee against the possibility of surprise attack. I recall, Mr Chairman, that we began to discuss this at our personal meeting two and a half years ago, but nothing has happened although there is open a wide range of choices as to where to begin.

The capacity to verify the fulfillment of commitments is of the essence in all these matters, including the reduction of conventional forces and weapons, and it would surely be useful for us to study together through technical groups what are the possibilities in this respect upon which we could build if we then decide to do so. These technical studies could, if you wish, be undertaken without commitment as to ultimate acceptance, or as to the interdependence, of the propositions involved. It is such technical studies of the possibilities of verification and supervision that the United Nations has proposed as a first step. I believe that this is a first step that would promote hope in both of our countries and in the world. Therefore I urge that this first step be undertaken.

## V.

I have noted your conclusion, Mr. Chairman, that you attach great importance to personal contact between statesmen and that you for your part would be prepared to come to an agreement on a personal meeting of state leaders to discuss both the problems mentioned in your letter and other problems.

I too believe that such personal contacts can be of value. I showed that by coming to Geneva in the summer of 1955. I have repeatedly stated that there is nothing I would not do to advance the cause of a just and durable peace.

But meetings between us do not automatically produce good results. Preparatory work, with good will on both sides, is a prerequisite to success. High level meetings, in which we both participate, create great expectations and for that reason involve a danger of disillusionment, dejection and increased distrust if in fact the meetings are ill-prepared, if they evade the root causes of danger, if they are used primarily for propaganda, or if agreements arrived at are not fulfilled.

Consequently, Mr. Chairman, this is my proposal:

I am ready to meet with the Soviet leaders to discuss the proposals mentioned in your letter and the proposals which I make, with the attendance as appropriate of leaders of other states which have recognized responsibilities in relation to one or another of the subjects we are to discuss. It would be essential that prior to such a meeting these complex matters should be worked on in advance through diplomatic channels and by our Foreign Ministers, so that the issues can be presented in form suitable for our decisions and so that it can be ascertained that such a top-level meeting would, in fact, hold good hope of advancing the cause of peace and justice in the world. Arrangements should also be made for the appropriate inclusion, in the preparatory work, of other governments to which I allude.

I have made proposals which seem to me to be worthy of our attention and which correspond to the gravity of our times. They deal with the basic problems which press upon us and which if unresolved would make it ever more difficult to maintain the peace. The Soviet

leaders by giving evidence of a genuine intention to resolve these basic problems can make an indispensable contribution to clearing away the obstacles to those friendly relations and peaceful pursuits which the peoples of all the world demand.

*Letter from Chancellor Adenauer to Premier Bulganin, on German Reunification, January 21, 1958<sup>1</sup>*

[Extracts]

I was gratified to see from both your letters that the Government of the Soviet Union is prepared to take all necessary steps to sound every possibility of rapprochement and of establishing an understanding between our two Governments. \* \* \*

You may rest assured, Mr. Chairman, that it is the earnest desire of the Federal Government to cooperate in achieving these aims. All responsible statesmen in the world have today the obligation to contribute to the preservation of peace. \* \* \*

UNJUSTIFIED REPROACHES

In view of this I doubly deplore that you, Mr. Chairman, have levelled serious reproaches in your two last letters at the Federal Government and the Governments of its allies, reproaches which are completely unjustified. \* \* \*

For example, you say, Mr. Chairman, that the North Atlantic Community and its member States are pursuing an aggressive policy. Let me say in all seriousness and with all emphasis that this allegation is wrong.

The North Atlantic Community was established to guarantee the freedom and security of its member nations. Its only aim is to maintain peace in Europe and in the world. \* \* \* We have repeatedly confirmed that the Treaty between the 15 nations was concluded to protect the right of our peoples to live under governments of their own choice in peace and freedom. The principles of the United Nations Charter forbidding any war of aggression are the principles to which we adhere in the Atlantic Community without restriction or reservation. \* \* \*

I likewise deplore the fact that you persist in and repeat the allegation that the Federal Government is impeding disarmament. Four of the five members of the United Nations sub-commission presented a disarmament proposal last year which received the full and unreserved approval of the Federal Government. The United Nations General Assembly adopted these proposals with an impressive majority. It was the Soviet Union that rejected them. \* \* \*

You assert furthermore that it is becoming more and more obvious that the Government of the Federal Republic of Germany is prepared to proceed to atomic armament. You know, Mr. Chairman, that the Federal Government is actually the only Government of a sovereign State to have renounced voluntarily the production of atomic and nu-

<sup>1</sup> German Federal Press and Information Office Bulletin, January 21, 1958, translation by the German Foreign Ministry. The letter was delivered by the German Embassy in Moscow on January 21, 1958.

clear weapons. You know, Mr. Chairman, that this renunciation is in addition subject to an agreed control within Western European Union.

#### EISENHOWER PROPOSALS SUPPORTED

The President of the United States has submitted clear proposals in his reply. The subject of these proposals is:

- 1) a peaceful agreement that cosmic space will be used for exclusively peaceful purposes;
- 2) an agreement concerning the cessation of the unlimited production of nuclear weapons, the renunciation of the production of fissionable material for warlike purposes, and the reduction of existing supplies of nuclear weapons;
- 3) the cessation of nuclear weapon tests;
- 4) the investigation of possibilities of effective controls concerning the implementation of these measures and at the same time concerning a gradual reduction of conventional weapons and forces.

The Federal Government concurs in these proposals in their entirety. It is ready to cooperate at all times in putting them into practice and to submit, just as all the other treaty partners, to an effective and all-embracing control \* \* \*.

Your new disarmament proposals have disappointed me. You advocate, among other things, the establishment of a non-atomic area in Europe which should include the German State territory. It seems to me of decisive significance to deal, not with the subsidiary question as to where atomic weapons will be stored today or tomorrow, but with the fundamental question of renouncing the production of these weapons. You yourself, Mr. Chairman, pointed out in your first letter to me that the use of such means of destruction knows no geographical frontiers. This statement seems to me—and I say this with regret—unfortunately more accurate than the reference in your second letter to the possibility that a non-atomic area could perhaps be protected from the effects of an atomic war by means of a guarantee \* \* \*.

#### "GERMAN CONFEDERATION" REJECTED

One of the greatest disappointments for me was that the Soviet Union has up to now opposed the realization of an aim recognized by it, too, and refused to fulfil an obligation recognized by it, too. [German reunification through all-German elections.] But my feelings of disappointment have been particularly strong—and I know that in saying this I am expressing the feelings of the entire German people on both sides of that unhappy dividing line—since reading your last letter. The way you suggest as a solution to the national task of the entire German people, namely an agreement between the two German States on the basis of the recognition and all-round protection of their interests and the establishment of—as you put it—a "German Confederation" is impossible.

You yourself, Mr. Chairman, state that the vital interests of the nations demand that all States acknowledge the principles of peaceful coexistence, mutual respect, territorial inviolability and sovereignty, nonaggression, complete equality of rights and nonintervention in the internal affairs of other States. Why does the Soviet Union

persist in refusing to apply these principles to the German people, too? \* \* \*

#### DIPLOMATIC NEGOTIATIONS INSTEAD OF LETTER-WRITING

I should like to confine myself today to these remarks which, I believe, can contribute to clarifying our respective points of view. I should like to express the desire, and hope that we should all be able to make up our minds to end the public exchange of letters which does not seem to me the appropriate method of clarifying fundamental differences of opinion.

We have unfortunately had the experience in the past few years that no progress can be achieved in this way \* \* \*.

For this very reason \* \* \* I suggest that we should more than hitherto make use of the proven possibilities of diplomatic negotiations in order to explain our standpoints and to prepare in this way for a removal of existing difficulties. In agreement with its allies the Federal Government therefore considers it useful to exploit to the fullest extent the possibilities inherent in diplomatic contacts. International conferences the necessity of which is beyond question have incomparably greater chances of leading to success if they are prepared carefully through diplomatic channels than if they are preceded by polemic correspondence which can only serve to stifle and nascent germs of confidence \* \* \*.

I would therefore sincerely welcome your agreement to my proposal to begin diplomatic talks which perhaps at a conference of Foreign Ministers could be brought to the point where the heads of government would face clear decisions perhaps between alternatives. The situation is so grave that we should seize every suitable means which offers us a chance to find constructive solutions. We owe it to our nations and future generations to leave nothing undone to bring about a lasting peace.

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#### *Communiqué on Conversations Between Secretary of State Dulles and Mayor Brandt of Berlin, February 10, 1958<sup>1</sup>*

The Secretary of State received the Governing Mayor of Berlin at 3:00 P.M., February 10. The Mayor thanked him in the name of the people of Berlin for the American help which had constituted so essential a contribution to the strengthening of the cultural and economic life of free Berlin.

Mayor Brandt spoke of the need of Berlin for continuing economic and financial aid so that this outpost of freedom can continue to play its vital role.

The Secretary of State assured the Mayor that in view of the city's unique position and its significance to the rest of the world, Berlin is of deep concern to the United States. Moreover, the security and welfare of the city and its continued progress are of direct interest to this Government as stated on many occasions in the past.

The Secretary of State emphasized, in particular, the policy of this Government to assure unimpaired access for both persons and goods

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<sup>1</sup> Department of State press release 61, February 10, 1958.

to and from Berlin as guaranteed in the New York and Paris Four-Power Agreements.

The Secretary concluded by expressing his gratification for the continuing steadfastness of the people of Berlin. He welcomed the assurance of the Mayor that under his leadership the city will continue to perform its unique mission both as a manifestation of the values and cultural achievements of the free world, and also as a link between the free peoples and those not now able to exercise their fundamental human rights.

***Note from the Polish Foreign Minister (Rapacki) to the American Ambassador (Beam), on the Establishment of a Denuclearized Zone, February 14, 1958<sup>1</sup>***

I wish to refer to the conversation which I had on December 9, 1957, with the Chargé d'Affaires of the Embassy of the United States in Warsaw. In this conversation I have presented the position of the Polish Government in respect to the tendencies to make the nuclear armaments in Europe universal and particularly towards the acceleration of armaments in Western Germany. The threat of further complications, primarily in Central Europe, where the opposing military groupings come into a direct contact and the apparent danger of an increase in the international tension have prompted the Polish Government to initiate at that time direct discussions through diplomatic channels on the Polish proposal submitted to the United Nations General Assembly on October 2, 1957, concerning the establishment of a denuclearized zone in Central Europe.

This proposal has evoked a wide interest in government and political circles as well as in the broad strata of public opinion in many countries.

Taking into account a number of opinions expressed in declarations made in connection with the Polish proposal and with the view to facilitate negotiations, the Polish Government has resolved to present a more detailed elaboration of its proposal. This finds its expression in the attached memorandum which is simultaneously being transmitted by the Polish Government to the governments of France, Great Britain and the Union of Soviet Socialist Republics as well as to the governments of other interested countries.

The Polish Government is conscious of the fact that the solution of the problem of disarmament on a world-wide scale requires, first of all, negotiations among the great powers and other countries concerned. Therefore, the Polish Government supports the proposal of the U.S.S.R. government concerning a meeting on the highest level of leading statesmen with the participation of heads of governments. Such a meeting could also result in reaching an agreement on the question of the establishment of a denuclearized zone in Central Europe, should an agreement among the countries concerned not be reached in the meantime. In any event the initiation at present of discus-

<sup>1</sup> Department of State Bulletin, May 19, 1958, pp. 822-823. The United States replied to this note on May 7, 1958 (*infra*). See also Foreign Minister Rapacki's address of October 2, 1957; Premier Bulgaria's letter of December 10, 1957, and President Eisenhower's letter of January 12, 1958 (*supra*).

sions on the question of a denuclearized zone in Central Europe would contribute to a successful course of the above mentioned meeting.

The Polish Government expresses the hope that the Government of the United States will study the attached memorandum and that the proposals contained in it will meet with the understanding of the Government of the United States. The Polish Government on its part would be prepared to continue the exchange of views on this problem with the Government of the United States.

#### MEMORANDUM

On October 2, 1957, the Government of the Polish People's Republic presented to the General Assembly of the United Nations a proposal concerning the establishment of a denuclearized zone in Central Europe. The governments of Czechoslovakia and of the German Democratic Republic declared their readiness to accede to that zone.

The Government of the Polish People's Republic proceeded with the conviction that the establishment of the proposed denuclearized zone could lead to an improvement in the international atmosphere and facilitate broader discussions on disarmament as well as the solution of other controversial internal issues, while the continuation of nuclear armaments and making them universal could only lead to a further solidifying of the division of Europe into opposing blocks and to a further complication of this situation, especially in Central Europe.

In December 1957 the Government of the Polish People's Republic renewed its proposal through diplomatic channels.

Considering the wide repercussions which the Polish initiative has evoked and taking into account the propositions emerging from the discussion which has developed on this proposal, the Government of the Polish People's Republic hereby presents a more detailed elaboration of its proposal, which may facilitate the opening of negotiations and reaching of an agreement on this subject.

I. The proposed zones should include the territory of: Poland, Czechoslovakia, German Democratic Republic and German Federal Republic. In this territory nuclear weapons would neither be manufactured nor stockpiled, the equipment and installations designed for their servicing would not be located there; the use of nuclear weapons against the territory of this zone would be prohibited.

II. The contents of the obligations arising from the establishment of the denuclearized zone would be based upon the following premises

1. The states included in this zone would undertake the obligation not to manufacture, maintain nor import for their own use and not to permit the location on their territories of nuclear weapons of any type, as well as not to install nor to admit to their territories of installations and equipment designed for servicing nuclear weapons, including missiles' launching equipment.

2. The four powers (France, United States, Great Britain, and U.S.S.R.) would undertake the following obligations

(A) Not to maintain nuclear weapons in the armaments of their forces stationed on the territories of states included in this zone; neither to maintain nor to install on the territories of these states any installations or equipment designed for servicing nuclear weapons, including missiles' launching equipment.

(B) Not to transfer in any manner and under any reason whatsoever, nuclear weapons nor installations and equipment designed for servicing nuclear weapons—to governments or other organs in this area.

3. The powers which have at their disposal nuclear weapons should undertake the obligation not to use these weapons against the territory of the zone or against any targets situated in this zone.

Thus the powers would undertake the obligation to respect the status of the zone as an area in which there should be no nuclear weapons and against which nuclear weapons should not be used.

4. Other states, whose forces are stationed on the territory of any state included in the zone, would also undertake the obligation not to maintain nuclear weapons in the armaments of these forces and not to transfer such weapons to governments or to other organs in this area. Neither will they install equipment or installations designed for the servicing of nuclear weapons, including missiles' launching equipment, on the territories of states in the zone nor will they transfer them to governments or other organs in this area.

The manner and procedure for the implementation of these obligations could be the subject of detailed mutual stipulations.

III. In order to ensure the effectiveness and implementation of the obligations contained in Part II, paragraphs 1-2 and 4, the states concerned would undertake to create a system of broad and effective control in the area of the proposed zone and submit themselves to its functioning.

1. This system could comprise ground as well as aerial control. Adequate control posts, with rights and possibilities of action which would ensure the effectiveness of inspection, could also be established.

The details and forms of the implementation of control can be agreed upon on the basis of the experience acquired up to the present time in this field, as well as on the basis of proposals submitted by various states in the course of the disarmament negotiations, in the form and to the extent in which they can be adapted to the area of the zone.

The system of control established for the denuclearized zone could provide useful experience for the realization of broader disarmament agreement.

2. For the purpose of supervising the implementation of the proposed obligations an adequate control machinery should be established. There could participate in it, for example, representatives appointed/not excluding additional personal appointments/by organs of the North Atlantic Treaty Organization and of the Warsaw Treaty. Nationals or representatives of states, which do not belong to any military grouping in Europe, could also participate in it.

The procedure of the establishment, operation and reporting of the control organs can be the subject of further mutual stipulations.

IV. The most simple form of embodying the obligations of states included in the zone would be the conclusion of an appropriate international convention. To avoid, however, implications, which some states might find in such a solution, it can be arranged that:

1. These obligations be embodied in the form of four unilateral declarations, bearing the character of an international obligation deposited with a mutually agreed upon depository state.

2. The obligations of great powers be embodied in the form of a mutual document or unilateral declaration/as mentioned above in paragraph 1/;

3. The obligations of other states, whose armed forces are stationed in the area of the zone, be embodied in the form of unilateral declarations/as mentioned above in paragraph 1/.

On the basis of the above proposals the government of the Polish People's Republ suggests to initiate negotiations for the purpose of a further detailed elaboration of the plan for the establishment of the denuclearized zone, of the documents and guarantees related to it as well as of the means of implementation of the undertaken obligations.

The government of the Polish People's Republic has reasons to state that acceptance of the proposal concerning the establishment of a denuclearized zone in Ceneral Europe will facilitate the reaching of an agreement relating to the adequate reduction of conventional armaments and of foreign armed forces stationed on the territory of the states included in the zone.

*Aide-Mémoire from the Soviet Foreign Minister (Gromyko) to the American Ambassador (Thompson), Proposing a Summit Meeting, February 28, 1958<sup>1</sup>*

[Unofficial translation]

The Soviet Government attributes great importance to having take place in the nearest future a conference on the highest level with the participation of Heads of Governments for discussion of a number of urgent international questions.

It is already possible to say definitely now that the proposal for convening such a conference, which has been the subject of exchange of opinions between governments of a number of states in recent months, has met with the approval and support of governments and broadest circles of the public of many countries.

The peoples demand that effective measures be adopted for preventing the threat of outbreak of war with use of atomic and hydrogen weapons, that a sharp break be made in the direction of improving the whole international situation, of the creation of conditions for the peaceful collaboration of all states. The peoples expect from the forthcoming conference at the Summit the resolution of just this historical task.

Exchange of messages between the Chairman of the Council of Ministers of U.S.S.R. and the President of the United States of Americo which has taken place recently has shown that the governments of both countries stand for a meeting of leading personages of states at highest level.

However, there is still a number of questions connected with the preparation of a conference at the Summit on which it is essential to come to agreement without further delays so as to hasten the convening of the conference.

In the opinion of the Soviet Government for bringing about such agreement it is necessary to utilize all means and paths which will help the most rapid achievement of understanding.

<sup>1</sup> Department of State Bulletin, March 24, 1958, pp. 459-461. For the text of the American reply (March 8, 1958), see *infra*.

Several questions of preparation of the conference can be reviewed and decided without delay through diplomatic channels. On the other hand, the governments of a number of states, including the United States of America, have expressed the opinion that carrying out of preparation should not only be limited to diplomatic channels and that at a certain stage it would be expedient to convene a conference of Ministers of Foreign Affairs.

Taking account of these wishes, the Soviet Government expresses agreement on holding a conference of Ministers of Foreign Affairs to speed up the preparation of a meeting at the Summit with participation of Heads of Government. The Soviet Government proposes holding a conference of Ministers of Foreign Affairs in April 1958.

Inasmuch as the goal of such a conference of Ministers must be the reduction to a minimum of the period of preparation of the meeting with participation of Heads of Governments, the scope of questions made subject to discussion of Ministers should be, in the opinion of the Soviet Government, strictly limited to questions relating to the organizational side of preparation for a meeting at the Summit.

The Soviet Government considers that the Ministers of Foreign Affairs should be commissioned to work out the agenda of the conference at the Summit, to determine the composition of its participants, time and place of holding it.

Insofar as the composition of the participants of the conference of Ministers of Foreign Affairs is concerned, approximately the same countries, in the opinion of the Soviet Government, should be represented at it as will take part in the meeting at highest level. For its part, the Soviet Government has already set forth ideas relating to the composition of such a conference. It could take part representatives of all the states members of the North Atlantic Alliance and the states participating in the Warsaw Treaty, as well as representatives of a number of states not participating in military blocs, such as, for example, India, Afghanistan, Egypt, Yugoslavia, Sweden, Austria. If for one or another reason it is considered desirable to hold the conference of Ministers of Foreign Affairs in a narrower composition, then, in the opinion of the Soviet Government, the following states could take part in it: United States of America, Great Britain, France, Italy, USSR, Poland, Czechoslovakia, Rumania, India, Yugoslavia, Sweden. In this regard, such a possible limitation of the composition of the participants of the conference of Ministers of Foreign Affairs should in no way predetermine the question of the composition of the forthcoming conference at the Summit.

The Soviet Government is agreeable to the convening of the conference of Ministers of Foreign Affairs in a place which will be acceptable for the other participants of such a conference.

The ideas of the Soviet Government regarding the agenda of the conference at the highest level with the participation of Heads of Governments are already known to the Government of the United States of America. The Soviet Government proposes to discuss at this conference the following urgent international questions:

- the immediate cessation of tests of atomic and hydrogen weapons;

- the renunciation by the USSR, United States of America, and Great Britain of the use of nuclear weapons;

—the creation in Central Europe of a zone free from atomic weapons;

—the conclusion of a nonaggression agreement between states entering into the North Atlantic Alliance and states participating in the Warsaw Treaty;

—the reduction of numbers of foreign troops on the territory of Germany and within the borders of other European states; the working out of agreement on questions connected with the prevention of sudden attack;

—measures for the expansion of international trade ties; the cessation of war propaganda;

—ways for reducing tension in the area of the Near and Middle East.

Besides, the Soviet Government, as it has already pointed out several times, is ready also to discuss with general consent at the conference other constructive proposals directed to the cessation of the "cold war," which could be introduced by other participants of the conference.

Having carefully studied the ideas contained in messages of the President of the United States of America D. Eisenhower to Chairman of Council of Ministers of U.S.S.R. N. A. Bulganin, the Soviet Government expresses readiness also to discuss at the conference at the Summit the following questions:

—prohibition of use of cosmic space for military purposes and liquidation of foreign military bases on foreign territories. Reaching an agreement on this important question would much reduce the danger of sudden outbreak of war and would be a big step for guaranteeing conditions for the quiet and peaceful life of peoples;

—conclusion of a German peace treaty. For discussion of this question the Soviet Government proposes to draw in representation of the German Democratic Republic and the Federal Republic of Germany. Of course, the question of unification of German Democratic Republic and Federal German Republic into one state, wholly relating to the competence of these two German states, cannot be the subject of consideration at a forthcoming conference at the Summit;

—the development of ties and contacts between countries. The Soviet Government has unalterably stood for the development of such contacts in every possible way. It shares the view of the importance of such type of contacts expressed in the message of President Eisenhower of February 15 of this year. For its part, the Soviet Government attributes great importance to the support of systematic personal contacts between leading personalities of states for the exchange of opinions on current international questions in the interests of strengthening mutual trust and the consolidation of general peace.

At the same time, the Soviet Government, as it has already pointed out several times, considers completely impossible the discussion at a conference at the Summit, and indeed at any international conference, of such questions as relate to the field of internal affairs of this or that state. The question brought up by the Government of the United States of America concerning the situation in the countries of

Eastern Europe relates to just this category. The discussion of this type of question would mean the impermissible interference in internal affairs of sovereign states, a path on which Soviet Union will not tread in any circumstance. The Soviet Government in general cannot understand why it is addressed with proposals to discuss internal affairs of third countries which are sovereign states and with which both the Government of the U.S S.R. and the Government of the United States of America maintain normal diplomatic relations. In the opinion of the Soviet Government, to bring up questions of this type means deliberately to lead matters to sharpening of relations between states, deliberately to subject to threat the achievement of understanding on urgent questions of liquidating the "cold war" and lessening international tension.

The Soviet Government thinks that for guaranteeing success of the conference at highest level, it is essential that the attention of the participants of the conference be concentrated on such questions, the resolution of which will actually help the detente of international tension, the strengthening of confidence between states and the consolidation of peace.

The Soviet Government expresses hope that the Government of the United States of America will regard the considerations above set forth in a positive sense.

*Letter from Premier Bulganin to President Eisenhower,  
Regarding a Summit Meeting, March 3, 1958<sup>1</sup>*

[Official translation]

I have received your message of February 15, and I deem it necessary to express some views regarding the questions touched upon in your message.

It has been almost three months since the Soviet Government, concerned about the development of the international situation, which development is dangerous to the cause of peace, made a proposal to convene a conference of top government officials to solve a number of problems of immediate urgency and to determine through joint efforts effective methods of easing international tension and of ending the "cold war" situation.

It is obvious even now that the idea of conducting negotiations at the highest level has met with approval and support on the part of governments and wide public circles in many countries. This is all the more understandable because the supreme interests of all peoples—the interests of the preservation and strengthening of peace—insistently demand that an end be put to a further drift toward war, that the atmosphere of suspicion, threats, and military preparations be dispelled, and that a path of peaceful coexistence and businesslike cooperation of all states be embarked upon.

In our letters to each other during recent months we have exchanged views in regard to the holding of a summit conference, and I consider that this exchange of views has had a positive significance and has played a definite role in the preparation of such a meeting. Above

<sup>1</sup> Department of State Bulletin, April 21, 1958, pp. 648-652. See also tripartite declaration of March 31, 1958 (*infra*).

all, our correspondence has shown that the governments of our two countries hold the general opinion that a conference of top government officials is desirable and that its successful outcome can exert a favorable influence on the entire international situation. Furthermore, we have had an opportunity to present in a preliminary way our views with regard to a number of specific problems, which is useful in itself, since it facilitates the search for a mutually acceptable basis of negotiations.

In your message of February 15 you state, Mr President, that the Soviet Government insists that only its own proposals be discussed by the participants in the conference and that it refuses to consider the questions proposed for discussion by the Government of the United States. This is, however, an altogether erroneous interpretation of the position of the Soviet Government. Actually, the presentation of problems which we propose for discussion at a summit meeting has by no means been dictated by any special interests of the Soviet Union. They are international problems which have not arisen just today, problems the solution of which has been long awaited and demanded by the peoples.

Are the American people less interested than the people of the Soviet Union or of other countries, for example, in a renunciation by states of the use of atomic and hydrogen bombs, in having nuclear weapons tests terminated at long last or in having the states take coordinated measures toward preventing a surprise attack? Are the British and French, the inhabitants of West Germany, or the Belgians less interested than the Russians, Poles, Czechs, or the inhabitants of East Germany in the conclusion of a nonaggression pact between NATO member states and the parties to the Warsaw Treaty, or in the initiation by both sides, by mutual agreement, of a reduction in the number of foreign troops in Germany, or in creating in the center of Europe a wide zone which would be free of nuclear weapons and excluded from the sphere of the use of atomic, hydrogen, and rocket weapons? Can one believe that only the Soviet Union of all the states is interested in the creation of a healthier international political atmosphere, to which end it is necessary to stop the war propaganda which is poisoning the minds of the people in a number of countries? It is also quite obvious that it would be in the interest of all states to have a free development of international trade based on the principle of mutual advantage without any artificial barriers, and to stabilize the situation in the Near and Middle East through a renunciation by the great powers of any interference in the internal affairs of the countries in that area, which more than once has already been a hotbed of dangerous conflicts.

We believe it is the duty of all statesmen who are really concerned over the fate of the world to contribute in every possible way toward achieving an agreement on these pressing problems. There are no insurmountable obstacles to the solution of all these problems. Only one thing is required—a willingness of the participants in the negotiations to display realism and a desire actually to achieve a relaxation of international tension, which things are so necessary under present conditions.

The only factor that motivates the Soviet Government in its proposal for consideration of these problems is the conviction that under present conditions it would be best to begin a general lessening of in-

ternational tension by solving the most immediate problems, which could be completely solved even now without harm to the interests of any individual state. We see a confirmation of the correctness of this viewpoint in the fact that the Soviet Union's proposals have found a sympathetic response and support on the part of governments and wide public circles in many countries, both in the East and in the West.

Furthermore, we by no means believe, nor have we ever stated, that only the topics proposed for discussion by the Soviet Union can be considered at a summit meeting. I should like to remind you that in our proposals of January 8 there was a direct statement concerning the willingness of the Soviet Government also to discuss, by mutual agreement, such additional constructive proposals contributing to a termination of the "cold war" as might be presented by the other participants in the meeting.

However, this does not mean that we can agree to discuss matters that are in the sphere of internal affairs of other states, the consideration of which could have no results other than a still further aggravation of the relations between states. Precisely in this category belong such matters as the situation in the countries of Eastern Europe and the unification into a single state of the German Democratic Republic and the Federal Republic of Germany. You, Mr. President, are familiar with the viewpoint of the Soviet Government in this respect, and it is hardly necessary to speak of this again in detail. A discussion of such questions would mean inadmissible interference in the internal affairs of sovereign states, to which the Soviet Union will never in any case agree. The legitimate question arises as to why proposals are directed to the Soviet Government to discuss the internal affairs of third countries that are sovereign states and with which both the United States of America and the Soviet Union have normal diplomatic relations. In fact, if the Government of the U.S.A. has any uncertainties with regard to the internal structure of this or that country of Eastern Europe, there exists, as you are aware, a practice, developed through the centuries, of clarifying such questions not by interfering in the internal affairs of other countries but by making use of ordinary diplomatic channels. We do not consider it possible to assume the role of judges and decide questions pertaining to the internal structure of other countries. We are likewise unable to recognize such a right for any other state, and we consider inadmissible not only the discussion but even the mere presentation of such questions.

We have no doubt that if someone were to propose an international conference for the discussion of the internal political situation in France, Italy, Turkey, Canada, or in the United States itself, for example, such a proposal would meet with the most emphatic objection on your part. To include questions of this kind in the agenda of a summit conference would certainly mean foredooming this conference to failure, and this we do not desire at all.

I should like to add that, if we, for our part, put forward a number of questions which in the opinion of the Soviet Government should be considered at the conference, we do not at all consider the list of these questions definitive. As I have already communicated to you, Mr. President, the Soviet Government has always been prepared to dis-

case also at a summit conference, by common consent, any other constructive proposals for ending the "cold war" that might be submitted by other participants at the conference.

My colleagues and I have closely studied the considerations contained in your messages. The Soviet Government agrees to discuss the following questions as well at a summit conference:

We are prepared to discuss the questions of prohibiting the use of outer space for military purposes and the liquidation of alien military bases on foreign territories. I think you will agree that the reaching of an agreement on this important question would greatly reduce the danger of a sudden outbreak of war and would be an important step toward ensuring conditions for a tranquil and peaceful life among nations.

The Soviet Government also considers it possible to discuss the matter of concluding a German peace treaty. We propose that the governments of the German Democratic Republic and the Federal Republic of Germany be invited to participate in the discussion of this problem. Of course, the problem of uniting the G.D.R. and the F.R.G. in a single state, which falls completely within the competence of these two German states, cannot, as the Soviet Government has already stated repeatedly, be the subject of discussion at the forthcoming summit conference.

We agree that at a summit conference there should also be a discussion of the questions of developing ties and contacts among countries. The Soviet Government has invariably been in favor of every possible development of such contacts. It shares the views expressed in your message of February 15 concerning the importance of such contacts. I should like to emphasize that for its part the Soviet Government attaches great significance to the maintenance of systematic personal contacts between top government officials for the exchange of views concerning current international problems in the interests of improving relations between states and of strengthening mutual trust and consolidating universal peace.

Likewise, we are not opposed to having an exchange of views regarding ways of strengthening the U.N.; we have merely expressed certain considerations of principle which we have in this respect.

I have already had occasion to explain why we consider unacceptable the proposal that our two governments renounce the principle of unanimity of the permanent members of the U.N. Security Council in deciding certain questions in that body. We cannot agree at all with the claim that the only thing in question is the procedural aspect of the matter, although, as is well known, this aspect also has important significance in settling great political problems. We are firmly convinced that the implementation of measures proposed by you would in practice lead to the use of the Security Council in the interests of one or several powers to the detriment of the interests of other states, to undermining the various principles of unanimity of the great powers which have the basic responsibility for maintaining international peace, that principle on which the U.N. is founded and which represents the basic guarantee for the normal activity and the very existence of the U.N. It is a well-known fact that in the development of this principle the Government of the U.S.A. itself played an active role. One cannot fail to see that at the present time the preservation of this

principle is still more necessary than it was thirteen years ago, when the U.N. was created.

The Soviet Government has set forth its viewpoint, not only concerning problems subject to discussion but also regarding the participants, the time of convening, and certain other problems. Unfortunately, we do not yet know the viewpoint of the Government of the U.S.A. concerning these matters; there is no mention of this even in your message of February 15.

As to the method of preparation for the conference, the necessity for which has now been expressed by the heads of the governments of all the largest states, the Soviet government feels that all ways and means should be used that might expedite such preparations. It seems to us that an agreement can be reached through diplomatic channels on certain questions relating thereto, and these opportunities should, of course, be utilized. At the same time we take into account the fact that the Government of the United States and certain other governments have declared themselves in favor of calling a Foreign Ministers' conference as one of the preparatory measures for a summit conference. If you consider that a Foreign Ministers' conference would serve and would help to expedite the convening of a conference of top government officials with the participation of the heads of government, then we are prepared to comply with such a desire. We are proceeding on the premise that the convening of a summit conference as soon as possible fulfills the hopes of all peoples.

Since the parties agree on the desirability of expediting the preparation of a summit conference, we propose to call a Foreign Ministers' meeting in April, and we consider that it should prepare the agenda for a summit conference, determine who should participate in it, and decide when and where it should be held. It would be advisable to decide all these questions as soon as possible.

I must say, Mr President, that the present state of preparation of the summit conference causes us definite concern. The lack of a reply from the Government of the United States to a number of concrete proposals from the Soviet Government concerning preparations for the conference, and also the fact that the Government of the United States continues knowingly to submit unacceptable questions, all of this obviously delays the convening of the conference.

We are all the more alarmed since, in addition to delaying a decision on the question of convening the conference, the Governments of the United States and of certain other NATO member states are stepping up the tempo of practical measures in the spheres of military preparations, which cannot but aggravate international tensions. I have in mind particularly a recently signed agreement between the United States and Great Britain on the establishment of bases in the territory of the latter for launching American medium-range rockets, and also the announcement of the convening in Paris, in April of this year, of a conference of Defense Ministers of the NATO nations for the purpose of studying such questions as setting up rocket bases in the territories of NATO member countries, stockpiling atomic weapons in those countries, and the transfer of atomic weapons to NATO members.

We note that the press of certain Western powers has recently stated openly that the United States will not consent to a summit confer-

ence until agreements have been reached concerning the establishment of American rocket bases in the territory of the West European NATO member countries.

All of this results in a very strange situation: on the one hand, assertions are being made regarding readiness to make efforts toward relaxing international tens on and lessening the danger of war; on the other hand, military preparations are being made with feverish haste, which can only increase international tension and the danger of war.

How should we, Mr. President, under these conditions, evaluate the situation which has been created? Should we judge the true intentions of the Government of the United States and of certain other NATO nations by their words or by their deeds? It seems to us that if we are all agreed that it is necessary to hold a summit conference to study urgent international questions, then at least measures should not be taken that might only impede the convening of such a conference and render more complicated the solution of the problems facing it.

I cannot, Mr. President, overlook certain statements, chiefly concerning questions of Soviet-American relations, contained in your communication of February 15. I do not wish to dwell on the tone in which certain passages of that communication were written, since a contest in sharp words cannot be useful in finding ways to relax international tension.

First of all, I must say that the statements concerning the Socialist order of society, the domestic and foreign policy of the Socialist states, and the mutual relations between them as contained in your communication are not in conformity with actual reality.

We are, of course, aware that you are opposed to the ideas of communism and the principles underlying the social system in the Soviet Union and other Socialist countries. We do not expect our views on questions of social development to coincide. However, while you maintain that the proponents of the ideology which you also support have the right to criticize the Socialist system in every way, you construe the criticism of capitalist social orders made by Communists in the Soviet Union as proof that the Soviet Government is not endeavoring to improve relations with the United States of America.

This question deserves special consideration. We have more than once emphasized how dangerous it would be to the cause of peace to bring ideological disagreements into the spheres of relations between states. We cannot come into agreement in the ideological sphere. You prefer the capitalistic system while we have never concealed our negative attitude toward capitalism, and we are firmly convinced that only socialism can ensure true freedom and equality for all men and the most complete development of society, both materially and morally. The polemics between the adherents of the two ideologies is perfectly natural. But does that mean that between the Soviet Union and the United States of America there cannot exist normal or even good and friendly relations? Of course it does not. Otherwise, the prospects of preserving peace would be dark indeed. The experience of the Soviet Union, which maintains good relations with many states, based on mutual respect and trust, which states have a different social order from that of the Soviet Union, is sufficient proof that a difference in social systems is not an obstacle in such matters.

As far as the Soviet Union is concerned, we not only consider an improvement in our relations with the U.S.A. possible and desirable, despite the difference in the social systems of our two countries, but on more than one occasion we have put forward concrete proposals to that end. We fully share your opinion on the desirability of taking steps to enable our peoples to become better acquainted.

We can only welcome your proposal that influential citizens of the Soviet Union visit the United States of America for the purpose of becoming familiar with the life of the American people. For our part, we shall be glad if prominent Americans come to the Soviet Union to see how the Soviet people live. This can only be regarded as useful. It is well known, for example, that many Americans, including prominent public figures of the U.S.A., after a visit to the Soviet Union, have admitted publicly how erroneous was their previous opinion concerning the life of the Soviet people.

I shall recall in this connection that the Supreme Soviet of the U.S.S.R. proposed to the Congress of the U.S.A. two years ago an exchange of their parliamentary delegations. It can hardly be denied that such an exchange would contribute to a mutual understanding of life in our two countries. Unfortunately, Mr. President, this proposal has not yet received any reply. The question arises as to how this can be reconciled with the desires expressed in your message regarding a development of mutual contacts. If the position of the American side in regard to this question has now changed, such a change can only be welcomed.

We also welcome your statement that the recently concluded Soviet-American agreement on exchanges in the fields of culture, technology, and education should be fully utilized to improve the relations between our countries. As you know, we on our part are ready to go even further in this respect: it is precisely this desire that dictated our proposal to conclude a treaty of friendship and cooperation between the U.S.S.R. and the U.S.A.

There is no doubt that the development of Soviet-American contacts and ties will facilitate a strengthening of mutual understanding between our two countries, in the interests of peace and international cooperation. On the other hand, it is obvious that any attempts deliberately to sow distrust and kindle animosity between the peoples of the U.S.A. and the U.S.S.R., as well as any endeavor to consign to oblivion the historical traditions of friendship between our peoples, may lead to consequences that would be dangerous, and not only for our two countries alone. It is precisely for that reason that we cannot fail to react when voices are heard in the United States preaching the idea of a "preventive war," an armed attack on the Soviet Union. You write that you know of no one in the United States that comes forth with such appeals. Unfortunately, there are such people, and such appeals are heard in the U.S.A.

For example, the idea of a "preventive war" against the U.S.S.R. has been discussed in the American press for several weeks, an idea which, as attested by such well known American commentators as Hanson Baldwin, Arthur Krock, and Drew Pearson, is contained in a secret report presented to the National Security Council of the U.S.A. by the so-called "Gaither Committee." Commenting on this report, Baldwin, military commentator of the "New York Times," writes that

"since the launching of the Soviet sputniks one hears again in Washington, though in muted tones, the old talk about a preventive war, made easier to swallow by the new term of 'preventive retaliation', - that is to say, attacking the Soviet Union first."

How can all this be evaluated, Mr. President? We do not know what precise recommendations are contained in the report of the "Gaither Committee," but one thing is clear: this report provoked a public discussion in the U.S.A. of the idea of a "preventive war." Such persons as Lawrence, editor of the widely circulated magazine "United States News and World Report," and Fuleston, former Director of American Naval Intelligence of the U.S.A., and others came forth with open propaganda for aggression against the Soviet Union.

Of course, we do not confuse the statements of such persons with the official policy of the U.S.A. But the security of the Soviet Union does not allow us to ignore completely statements of this kind, especially since the Government of the U.S.A. did not condemn the statements in question. In our opinion there is danger and harm in the very fact that such ideas are suggested to the American people on the printed page, read by millions of Americans. It is hardly necessary to emphasize the fact that propaganda of this kind runs counter to any improvement in the relations between the U.S.A. and the U.S.S.R.

Lastly, I cannot fail to reject the unfounded assertions contained in your message of February 15 to the effect that responsibility for the fact that nuclear energy is being used at present primarily for military rather than for peaceful purposes rests with the Soviet Union. In reality it was not the Soviet Union that was the first to begin the production of atomic weapons and it was not the Soviet Union that used this weapon of mass destruction. From the very beginning the Soviet Union has demanded that the manufacture and use of nuclear weapons be prohibited and that existing stocks be destroyed. As early as June 19, 1946 the Soviet Government presented to the U.N. for consideration a draft international convention which provided for these measures. We have insisted on this for 12 years. However, the Government of the United States refuses even to this very day to agree to the prohibition of nuclear weapons.

I solemnly declare, Mr. President, that the Soviet Union is prepared to sign even tomorrow an agreement on the total prohibition of all types of nuclear weapons, on the cessation of their manufacture, their elimination from armaments, and the destruction of all available stocks of such weapons under appropriate international control.

The peoples expect of their leaders, who are responsible for the destiny of their countries, concrete action to avert the threat of atomic war and to strengthen peace. Millions of people ardently hope that our two countries will make a definite contribution to the establishment of a healthier international situation, and that they will decisively turn from the "cold war" and the armaments race toward peaceful cooperation on the part of all states. We consider that a conference to top government officials, with participation of heads of government, can and must be an important step in that very direction. Now, when there is agreement in principle between states on such a meeting, it is especially necessary to concentrate our joint

efforts on the practical preparations for it, with a view to making such a meeting possible in the very near future.

We hope, Mr. President, that the considerations of the Soviet Government concerning the preparation and the holding of a summit meeting will meet with a favorable attitude on the part of the Government of the U.S.A.

*Statement at News Conference by Secretary of State Dulles, on German Reunification and a Summit Meeting, March 4, 1958<sup>1</sup>*

[Extract]

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Q. Mr. Secretary, in that connection, do you consider the discussion of German reunification to be an absolute prerequisite on the agenda of the Summit meeting?

A. Well, I do not want to say on my own authority that anything is an absolute prerequisite. We have views of allies which we take into account, and of course, as far as the United States is concerned, the final voice is that of the President. But I would say this. That the last Summit meeting made three or four rather significant declarations with respect to German reunification. It said, for example, that there was a "close link" between German reunification and security in Europe. It said that the four powers recognized responsibility for the reunification of Germany, and it went on to say that the four powers agreed that Germany should be reunified by free elections in accordance with the national interests of the German people and of European security.

It would seem to be at least of dubious wisdom to have a second Summit meeting which would in effect bury the results of the first Summit meeting and which would not rather build upon the first meeting, to go forward. The position of the NATO countries in that respect was put forward very strongly, unanimously, at the Summit NATO meeting held last December. I would feel that if there is a real desire to make these meetings with the Russians amount to anything, that they should move forward on the basis of building upon each other, not on the basis of burying each other.

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*Aide-Mémoire from the Department of State to the Soviet Ambassador (Menshikov), Regarding a Summit Meeting, March 6, 1958<sup>2</sup>*

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The United States Government acknowledges the receipt of the memorandum handed by the Soviet Foreign Minister Mr. Gromyko to the United States Ambassador to Moscow on February 28, 1958. The United States Government has attentively studied this memorandum.

<sup>1</sup> Department of State press release 104, March 4, 1958.

<sup>2</sup> Department of State press release 118, March 6, 1958. The Soviet Union replied in an aide-mémoire of March 24, 1958 (info).

## II.

The Government of the United States takes satisfaction from the fact that the Soviet Union is now prepared "to utilize all means and paths", including a meeting of Foreign Ministers, to bring about agreement on a meeting at the highest level of government. On the other hand, the United States Government regrets to find that the character of the preparation envisaged by the Soviet Government falls short of what would be required, in the opinion of the Government of the United States, to assure that such a meeting would actually serve to reduce international tensions.

## III.

The Soviet Government memorandum, and the preceding letters of December and January from Chairman Bulganin to President Eisenhower, raise a basic question in relation to a "summit" meeting:

What is the purpose for which a "summit" meeting would be held? Is it the purpose merely to stage a spectacle? Or is it the purpose to take meaningful decisions?

The United States wants a meeting of Heads of Government to take meaningful decisions which would begin seriously to resolve at least some important political issues, inaugurate some significant steps to limit armament, and, by such decisions, to create an atmosphere conducive to further settlements. Anything less would not respond to the hopes, and indeed to the legitimate demands, of mankind.

## IV.

If a meeting of Heads of Government is to take meaningful decisions, then the groundwork for these decisions would have to be prepared in advance.

The letter of Chairman Bulganin to President Eisenhower of February 1, 1958, which is alluded to in the Soviets' memorandum of February 28, states with reference to the agenda that it should concentrate on "the most urgent problems, with regard to which the known positions of states provide a certain degree of assurance as to their positive solution at this time".

The Government of the United States does not believe that the agenda should necessarily be limited to matters the solution of which now seems assured. Broader discussion may be desirable. But the Government of the United States agrees with the Government of the Soviet Union that the agenda surely should include some significant and urgent topics, as to which agreement seems probable.

What are these matters? The presently declared positions of the Soviet Union and the United States do not as yet indicate the probability of agreement as to any matters of significance that have been proposed by either of our Governments in the course of the extensive correspondence between Chairman Bulganin and President Eisenhower.

How shall areas of possible agreement be found, developed, and defined?

The Soviet memorandum says that preparatory work of the Foreign Ministers should be "strictly limited to questions relating to the organizational side of preparation for a meeting at the summit".

The United States Government does not press for placing upon a meeting of Foreign Ministers all of the preparatory work, provided there is some other acceptable procedure. But the United States is convinced that if there is to be a meeting of Heads of Government, substantive preparatory work must take place in some way to ascertain whether such a meeting would meet the criteria which both Governments accept. The United States suggests, as an alternative or supplementary means, the use of diplomatic channels.

## V.

With respect to Soviet statements as to a desirable composition of the agenda, the position of the United States Government concerning certain specific items is as follows:

(1) The United States believes that any new meeting of Heads of Government should not ignore the preceding meeting but should preferably begin where that meeting left off. Meetings of Heads of Government will quickly lose the special significance and authority which is now ascribed to them if a second meeting consigns to oblivion the understandings and agreements of the first meeting.

(2) The Geneva "summit" meeting of 1955 dealt with three main topics: (1) European Security and Germany; (2) Disarmament and (3) Development of contacts between East and West.

As regards the third item, persistent efforts over the past two and one half years have led to an agreement reached through diplomatic negotiations in Washington. This agreement was concluded on January 27, 1958. While that agreement is by no means all that we would desire, it does mark what we hope will be concrete progress on the third item of the 1955 agenda.

With respect to the other two matters—European security and Germany and disarmament—no progress has been made.

(3) At the Geneva Conference of 1955 it was agreed that there was a "close link between the reunification of Germany and the problems of European security". The Heads of the four Governments recognized "their common responsibility for the settlement of the German question and the reunification of Germany". Furthermore, the four Heads of Government

"agree that the settlement of the German question and the reunification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security".

Yet the Soviet memorandum of February 28 is emphatic that the reunification of Germany "cannot be the subject of consideration at a forthcoming conference at the summit".

(4) At the Geneva meeting of Heads of Government, it was agreed that we would "work together to develop an acceptable system for disarmament through the Subcommittees of the United Nations Disarmament Commission".

Yet the Soviet Union now declines to work through the Subcommittee of the United Nations Disarmament Commission, or, indeed, the Disarmament Commission itself.

(5) With respect to the agenda in general, the Soviet Government seems to claim a veto power without according reciprocity in that

respect. The Government of the United States suggests that there must be reasonable "give-and-take" in the selection of items for discussion. In any event the United States would not find it possible to enter a conference in which special privilege and authority were accorded in advance to any other state.

## VI.

The Soviet memorandum indicates that the "summit" meeting should mark a "sharp break" in the direction of improving the whole international situation, of "creation of conditions for the peaceful collaboration of all states". This greatly to be desired result cannot, however, in the opinion of the United States, be achieved if there are excluded from consideration the principal causes of international tension.

A basic cause, perhaps the basic cause, of tension is the support by the Soviet State of the worldwide ambitions of International Communism. Other major causes of tension, which are perhaps manifestations of the above mentioned basic cause, are the enforced partition of Germany and external interference in countries of Eastern Europe which result in a denial to the peoples of their right freely to choose their own governments. The United States does not, as the Soviet Government suggests, seek interference in the internal affairs of other nations but rather the elimination of such interference.

The United States also believes that there must be effective measures of disarmament including steps to curb the production of nuclear weapons and the means of their delivery. Chairman Bulganin, in his communication to the President of December 10, deplored the "competition in the production of ever newer types of weapons". The Soviet memorandum does not suggest dealing with this problem. It seems to assume that the production of ever newer types of weapons will go unchecked and uncontrolled.

## VII.

It is not necessary, as we see it, that all of the problems that confront and divide us should be resolved at one time. But we do believe that, if there is to be a meeting of Heads of Government, it should deal, more effectively than did the last such meeting, with essential issues, without excluding subsequently dealing with the others. A meeting of Heads of Government that was merely ceremonial or social, or which merely repeated promises already given or hopes already expressed, would not, in the opinion of the Government of the United States, be warranted.

## VIII.

There are a number of other matters raised by the Soviet memorandum, such as the composition of the Foreign Ministers and Heads of Government conferences, as to which the United States reserves its position pending further clarification of the views of the Soviet Union on the points raised above. An agreed concept of the nature and purpose of a meeting of Heads of Government seems needed before these other matters can be usefully considered at this juncture.

## IX.

The United States reaffirms its desire that, on the assumption that there will be a meeting of Heads of Government, it will be held not as a spectacle, not to reaffirm generalities, but to take serious decisions which will lead to an international atmosphere of cooperation and goodwill.

DEPARTMENT OF STATE,  
Washington, March 8, 1958.

*Letter from the American Ambassador at Bonn (Bruce) to the Soviet Chargé d'Affaires at Berlin, Regarding Soviet Request to Make Jet Flights in West Germany, March 12, 1958<sup>1</sup>*

I wish to bring to your attention a message delivered on February 24 to the U.S. Controller in the Berlin Air Safety Center by the Soviet Controller, and published that same evening by the Soviet Zone News Agency, ADN. The message stated that "since the Soviet Embassy in Bonn had received requisite clearance from the Foreign Office for the overflight on February 14 of the territory of the German Federal Republic by a Soviet aircraft TU-104A, the action of the American representative in refusing clearance for overflight was unfounded and can only be identified as an attempt to interfere with normal air traffic by civil aircraft over the territory of the German Federal Republic, and was in violation of procedures based on international law."

This statement is not in accord with the facts. The allegation concerning the "violation of procedures based on international law" is without foundation. As I informed you in my letter of January 16, 1958, the Three Powers, in keeping with quadripartite responsibilities relating to Germany as a whole, continue to exercise control with respect to the use of the airspace over the Federal Republic by aircraft of the U.S.S.R. This is set out in Article 6, Chapter XII of the Convention on the Settlement of Matters Arising out of the War and the Occupation, signed at Paris on October 23, 1954.

In this connection I might call to your attention the enclosed statement which was made to the press on February 25 by the Federal German Press Office. This not only reaffirms the principle of the Three Power responsibility for such overflights, but also contradicts the assertion of the Soviet Controller in BANC that the Foreign Office had given "the requisite clearance" for the February 14 flight of the Soviet aircraft TU 104A. The pertinent part of the Press Office statement reads as follows: " \* \* \* The first case stemmed from the statement by the Soviet Zone ADN, according to which the Soviet Embassy in Bonn received the necessary approval from the Foreign Office for the overflight of the territory of the German Federal Republic on February 14 by the Soviet TU 104A aircraft. The Foreign Office stated with regard to this that it had given no such approval since the Three Powers, in accordance with the responsibilities relating to Germany as a whole, continue to exercise control

<sup>1</sup> Department of State Bulletin, April 7, 1958, p. 522. The British and French Ambassadors sent similar letters.

through the Berlin Air Safety Center over aircraft of the Soviet Union utilizing the airspace of the Federal Republic."

Furthermore, since the flight request was still under consideration by the American, British and French Embassies when the Soviet aircraft in question flew by an alternative route, it is incorrect to state that the American representative refused clearance for the flight.

I should like to remind you that in the past the Three Powers have consistently authorized individual Soviet overflights of the Federal Republic when requested by the Soviet authorities. These authorizations were based on the expectation that, on their side, the Soviet authorities would continue to honor their quadripartite responsibilities and authorize, upon request, flights of aircraft of the Three Powers in the airspace over the Soviet Zone outside the quadripartite-ly established air corridors.

Since earlier communications on this subject have been released to the press by the Soviet authorities, I am likewise releasing this letter to the press.

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*Aide-Mémoire from the Soviet Foreign Minister (Gromyko) to the American Ambassador (Thompson), Regarding a Summit Meeting, March 24, 1958<sup>1</sup>*

The Soviet Government has attentively examined the considerations set forth by the U.S. Government in its aide memoire of March 6, 1958, which is a reply to the aide memoire of the Soviet Government of February 28 on the question of preparing a meeting at the highest level.

As is known, the Soviet Government, concerned as it is over international developments which have taken a turn dangerous to the cause of peace, proposed at the close of 1957 to call a meeting of leading statesmen to solve a number of urgent problems and to define through joint efforts effective ways to reduce international tension and to end the state of "cold war."

The Soviet Government notes that the U.S. Government, referring in its aide memoire to the purpose of a summit meeting, also proclaims that it desires this meeting to take meaningful decisions which would initiate the settlement of at least some important political problems and lead to the establishment of international climate of cooperation and good will.

However, one must admit that while the Soviet Government, after proposing to call a meeting of leading statesmen, has taken several concrete steps to meet the wishes of the U.S. Government and of other Western powers, both with regard to the questions which should be examined at a summit meeting and with regard to the procedure of preparing this meeting, the U.S. Government, as evident from its aide memoire, is trying in fact to bring the entire question of a summit meeting back to the initial position.

The Soviet Government has proposed that the summit meeting should discuss such pressing international problems, agreement on which seems feasible at this meeting and the settlement of which could

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<sup>1</sup> Department of State Bulletin, April 21, 1958, pp. 652-655. For the next act in the "summit" correspondence, see tripartite declaration of March 31, 1958 (*infra*).

lay the foundations for better mutual understanding among states and for the settlement of other international problems.

It is the deep conviction of the Soviet Government that the following are the questions of great international significance which must be given priority: immediate ending of tests of atomic and hydrogen weapons; renunciation of the use of nuclear weapons by the U.S.S.R., the United States and Great Britain; establishment of a zone free from nuclear and rocket weapons in Central Europe; signing of a nonaggression agreement between states belonging to the North Atlantic alliance and the Warsaw treaty member states; reduction of the numerical strength of foreign troops stationed on the territory of Germany and in other European states, drafting of an agreement on questions involved in the prevention of surprise attack; measures for extending international trade; ending of war propaganda; ways to reduce tension in the area of the Near and Middle East.

Are there any grounds to claim that only the Soviet Union is interested in a positive solution of the above questions and that for the peoples of other countries, including the United States, these questions are of a lesser importance? The questions listed above have been posed by life itself, by the entire trend of development of international relations in the past few years. If we are to be guided by the interests of consolidating peace, there can be no other opinion but that it would be equally to the benefit of the U.S.S.R., the United States, Great Britain, France, and other countries if agreed measures were adopted to lessen the danger of rocket-nuclear war, to end the armament race, to abolish tension in international relations caused by the "cold war," and to diminish the danger of conflicts in those areas of the world where, in view of the tension existing there, such conflicts are especially liable to break out.

The Soviet Government gave full consideration to the wishes of the U.S. Government and the governments of other Western powers regarding the questions they would like to propose for discussion at a summit meeting.

Guided by the desire to pave the way for a meeting at the highest level and taking note of the considerations of the Western powers, the Soviet Government announced its consent to discuss at a summit meeting the problem of forbidding the use of outer space for warlike purposes and of scrapping foreign military bases on the territories of other countries. Moreover, the Soviet Government declared that it was prepared to discuss the problem of concluding a German peace treaty and of the development of ties and contacts among countries.

Thus, the problems which the Soviet Government proposes for discussion at the summit meeting also take into account those proposals of the U.S. Government on which useful negotiations could be conducted for the purpose of reducing the tension in the international climate. Therefore, one cannot agree with the contention made in the aide memoire of the U.S. Government that the Soviet Government claims a veto power in determining the range of problems to be examined at the summit meeting or special privilege and powers at the conference itself. Such an arbitrary interpretation of the Soviet Union's position with regard to the preparation of the international meeting has nothing to do with the actual state of affairs.

In its aide memoire the U.S. Government declares that it is guided by serious intentions in considering questions pertaining to preparations for a summit meeting. It goes without saying that such an intention is only commendable.

It is surprising, however, that the U.S. Government admits the possibility of the summit meeting being turned into a kind of theatrical show, a spectacle. It should be noted that such pronouncements about a summit conference, on which the peoples pin so much hope, are strange, to say the least. Even if some Western circles do have an intention to smear the idea of a meeting at the highest level, it is to be hoped that this does not reflect the position of the U.S. Government.

As to the Soviet Government, it has stated more than once that it attaches exceptionally great importance to the salutary effect on the entire international climate and to the important contribution to the cause of peace which a meeting with the participation of the heads of government would have.

Further, what constructive approach to a summit meeting on the part of the U.S. Government can we talk about if it continues insisting on the discussion of the so-called problem of the situation in East European countries. It is difficult to believe that the U.S. Government does not realize that such a proposal cannot but be resolutely condemned by the Soviet Union and those countries, the situation in which it would like to make the subject of discussion at an international conference. The very fact that this question is being posed is insulting to these states and impermissible in international relations.

No one has given the United States or any other country the power to appear in the role of judges who decide whether a given country should or should not have its social and state system chosen by its people. He who today, guided by his hostility to socialism, poses the question of changing the social system in East European countries, pushes the world into the road of kindling enmity among peoples, the road of war. But then it is pertinent to ask. What do international negotiations and a summit meeting for reducing international tension have to do with that?

The Soviet Government has already more than once pointed out how dangerous to the cause of peace it would be to carry ideological differences into the sphere of international relations. This viewpoint finds ever wider international recognition and was reflected in particular in the unanimous decision of the 12th session of the U.N. General Assembly on the problem of peaceful coexistence of states. Nevertheless, the aide memoire of the U.S. Government lays stress on differences of an ideological nature and at the same time alleges that "international communism" is the main cause of tension.

Were we to discuss the irreconcilable fundamental differences existing between social systems, the differences between capitalism and socialism, where would this lead us and what would be the chances of rapprochement between states? Unquestionably, in that case, the gap between the states of East and West would become even deeper, and the winners would be those who are sowing enmity and discord in international relations.

As to the real cause of tension in present-day international relations, it is an open secret that this cause is the policy of "cold war"

conducted by the Western powers, the forming of aggressive military alignments and the continually increasing armament race which daily leads to an ever greater build-up in the armament of states and which has already created an enormous machinery of extermination. Who would deny today that were this machinery brought into action, it would spell untold disasters for mankind.

Neither can the problem of unifying the G.D.R. and the Federal German Republic into a single state be the subject of a summit discussion, because this matter is entirely within the competence of the two German states themselves. If an aggravation of relations between states were the aim, the proposal to discuss the question of an international conference would be understandable. However, the Soviet Government believes that the participants of the conference should proceed from the interests of its success and refrain from suggesting questions which would jeopardize the convocation of such a conference.

The Soviet Government considers it of great importance that an agreement on practical questions of preparing for a summit conference be reached in the nearest future. In his message of January 12, 1958, President Eisenhower said that he was also prepared to meet Soviet leaders to discuss proposals which were introduced by the Soviet Government for summit discussion. As has been noted above, the Soviet Government has also expressed its readiness to discuss at a top-level conference a number of questions advanced by the American Government.

Unfortunately, the American aide memoire does not reply to the Soviet Government's proposal of February 28 concerning the summit agenda. The American Government confines itself to the statement that any new conference of the heads of government should not ignore the previous conference, that a new summit conference should begin where the Geneva Conference of the heads of government left off.

But it becomes obvious that such an approach completely ignores the fact that considerable time has elapsed since the Geneva Conference and the international situation has changed substantially. That is why the Soviet Government has proposed that, in line with the current world situation, a new approach should be made to the solution of pressing international problems.

The Soviet Government takes into account that under the present circumstances a summit conference would find it difficult to reach agreement on all pressing international problems. We have proposed that the conference focus its attention first and foremost on the most urgent problems whose solution would initiate an improvement of the international situation as a whole. The examination of other problems could be postponed until a subsequent stage of talks between the states. Thus, taking into account the lessons of the past and desirous of preventing the thwarting of the important cause of relaxing international tensions, we proposed that a new approach be made to the solution of unsettled international problems and that the method of gradual solution of these problems be adopted as the most realistic and justified.

The Soviet Government believes that the settlement of the question it has proposed for summit discussion would be in complete accord with the desires of the peoples and would be an important start in

radically changing the international situation and terminating the cold war.

Inasmuch as the side memoire of the U.S. Government fails to give an impartial account of the state of affairs in connection with the discussion of the disarmament problem in the United Nations, it must be recalled that it was the Western powers which, at the 12th session of the U.N. General Assembly, rejected the proposal for such a composition of the U.N. Disarmament Commission as would allow due consideration for the views of U.N. member countries.

Instead of patiently searching for mutually acceptable decisions, the session, under manifest pressure, adopted a resolution envisaging a composition of the Disarmament Commission in which the absolute majority belongs to proponents of the military alignments of the Western powers.

Thus, the Western powers made use of their majority for obviously unreasonable purposes and have actually vetoed disarmament talks and made the achievement of fruitful results impossible.

Is it possible in fact to make progress in the disarmament problem by imposing decisions which are advantageous to one of the sides, to one alignment of powers, and infringe on the lawful interests of the other side? It is clear that no state can allow the infringement of its national interests, regardless of the number of unacceptable decisions the participants of the Western military alignment could wish to impose on it by using their majority.

Today, with the existence of two social systems, there can be no other policy but a reasonable policy of searching for mutually acceptable decisions which neither place anyone at an advantage nor infringe on the security interests of others. There is no need in this case to dwell in detail on the disarmament problem, because the Soviet Government has already set forth its position with sufficient clarity in its messages to the U.S. Government.

The side memoire of the U.S. Government cannot but disappoint anyone who regards summit talks as a dependable means of relaxing international tensions and terminating the cold war which the peoples have come to hate. The Soviet Government, proceeding from the need for the earliest completion of preparations for a summit conference, would like to have the U.S. Government set forth its views on the questions which the Soviet Union has proposed for discussion at the forthcoming summit conference, as the Soviet Government has done with respect to the American proposals.

The Soviet Government believes it equally necessary that the question of the composition of the summit conference, its date and place be agreed upon in the nearest future.

Guided by its desire to speed up the preparations for a summit conference and proceeding from the fact that all means and ways to bring about the earliest agreement should be used for this purpose, the Soviet Government has consented to a foreign ministers conference to prepare a top level meeting of the heads of government and has suggested that the ministers conference be held in April 1958.

At the same time, it has proceeded from the fact that the range of issues subject to discussion by the ministers should be limited to problems relating to the organizational side of preparations for a summit meeting—agenda, composition of the summit meeting, time, and place.

A discussion of the substance of the questions advanced, in the opinion of the Soviet Government, should be left to the summit meeting with the participation of the heads of government. It can hardly be doubted that a meeting of the heads of government invested with the broadest powers and much less hindered by the instructions usual in such cases, has better chances of success, particularly when its aim is to change the general trend in international relations and to turn them toward liquidation of existing tensions.

On the other hand, if the foreign ministers conference is entrusted with examination of the substance of the issues there is every reason to fear that this, far from facilitating, may on the contrary retard the convocation of a summit meeting and complicate the achievement of an agreement on the questions discussed. It is contrary to logic to recognize the need and usefulness of a summit conference and at the same time do everything to retard such a conference further and further or to make its very convocation doubtful on the pretext that at the preliminary stage the conference of foreign ministers came up against contradictions which can hardly be overcome.

The Soviet Government hopes that the U.S. Government will study with due attention the considerations set forth above concerning the need to start without further procrastination a concrete discussion of questions of preparing and convening both a ministers conference and a summit conference.

*Remarks at News Conference by Secretary of State Dulles, on the Question of a Summit Meeting, March 25, 1958<sup>1</sup>*

[Extracts]

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Q. Mr. Secretary, when you read the exchange of notes on the subject of a Summit Conference over the last week or so, it's difficult to find anything particularly new in this whole situation. How do you estimate where we now stand on the problem of a Summit Conference?

A. It has not yet been possible for me to study thoroughly and in detail the Soviet note, which I only received last night. But it does seem as though the Soviets were seeking to exact a terribly high political price as a condition to having a Summit Meeting. Now, as you know, President Eisenhower has made perfectly clear that he wants to have a Summit Meeting if there is any reasonable chance of reaching substantial agreements which will ease the international situation and make peace more likely. But it's more and more apparent, and has been revealed I think by this exchange of correspondence, that the Soviets are demanding a very high political price as a condition to having such a meeting, and the question is whether there is enough hope out of such a meeting to justify paying the political price which the Soviets seem to be exacting.

I have jotted down here, quite hurriedly, some of the price tags that they seem to be putting on it, and I would like to read those to you, if I may, to illustrate my points:

<sup>1</sup> Department of State press release 150, March 26, 1958.

- 1) The equating of certain Eastern European governments, such as Czechoslovakia and Rumania, with such Western Governments as the United Kingdom, France, and Italy;
- 2) Acceptance of the legitimacy of the East German puppet regime and acquiescence in the continued division of Germany;
- 3) Ending the agreed joint responsibility of the four former occupying powers of Germany for the reunification of Germany, a responsibility that was reaffirmed at Geneva in 1955;
- 4) Acceptance of the Soviet claim for numerical parity in bodies dealing with matters, such as disarmament, within the competence of the United Nations General Assembly—a "parity" which if conceded would give the Soviets a veto power in many functions of the General Assembly—enabling them to evade the will of the great majority and thus further to weaken the United Nations by, in important respects, importing into the General Assembly the same weaknesses that have crippled the Security Council;
- 5) The acceptance of an agenda so formulated that virtually every item nine out of eleven implies acceptance of a basic Soviet thesis that the Western Powers reject.

Now in making clear this price tag, I do not want to imply that I think that there will not be a Summit Conference.

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Q. Mr. Secretary, in the note from the Soviet Government of yesterday, they referred to the possibility of discussing a German Peace Treaty, and also a pact between the Warsaw Powers and the NATO Powers. Now as agenda items, do those two points not open the whole question of the reunification of Germany and, also, the position of Eastern Europe, which you want to discuss?

A. I would feel rather that they tend pretty much to close the door to the kind of thing that we want to discuss. The Soviet, at least, would interpret such an agenda item as limiting the discussion to the particular matters; namely, a peace treaty involving both Germanies, and equating of the Warsaw Pact with the NATO group. I would be extremely concerned to see the agenda accepted in that form without at least making clear that we interpret the agenda as opening up the possibility of discussing these other items. You will recall that at the last Summit Conference at Geneva, there was a very prolonged and rather sharp exchange of views at the restricted meeting with respect to the label and title to be given to these topics. And, finally, we compromised upon a title that was called "European Security and Germany" and that, we felt was broad enough to open up the kind of subjects that you refer to.

If we now accepted a narrowing of that agenda item, as the Soviets propose, certainly they would argue that we had agreed to forego at this time any discussion of the reunification of Germany. Indeed, they are quite categorical, and have been in the whole series of notes that they have put out, that they do not consider that the reunification of Germany is discussable. If we accept such an agenda item with their interpretation on it, I would think that—while, of course, nobody is there physically to prevent the Heads of Western Governments from uttering words, and we could probably use those words, "reunification of Germany"—I am quite sure it would be contended

on the other side that the terms of the conference have implicitly, or, indeed, explicitly, excluded that.

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Q. Mr. Secretary, would the United States accept an agenda item using the same language as the previous Summit meeting on European security and Germany, and is it correct that it is "Germany" or "German reunification"?

A. The label on the item was "European security and Germany." Under that label there appeared a rather full discussion of German reunification. So it is quite apparent that that label carries with it the concept of German reunification. Also, that is made clear in the preceding sentence, the prelude which leads up to that, where the powers, it is said, recognize the close link between European security and the reunification of Germany.

Q. Would we accept such an item for the agenda then?

A. I don't want to be absolutely categorical about any of these matters. I think that when I have said that we thought that a second Summit meeting should begin where the last one left off, it is fairly clear what our view is. But these matters are all subject to discussion with our allies. There is another meeting of the NATO Council on this general subject, I believe, tomorrow. I don't like to take unilaterally positions which ought in the first instance to be discussed with our allies.

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*Declaration Presented by the British, French, and United States Ambassadors to the Soviet Government, Regarding Preparations for a Summit Meeting, March 31, 1958<sup>1</sup>*

The present international situation requires that a serious attempt be made to reach agreement on the main problems affecting attainment of peace and stability in the world. In the circumstances a Summit meeting is desirable if it would provide opportunity for conducting serious discussions of major problems and would be an effective means of reaching agreement on significant subjects.

It is clear that before a Summit meeting can meet in these conditions preparatory work is required.

This preparatory work could best be performed by exchanges through diplomatic channels leading to a meeting between Foreign Ministers.

The main purpose of this preparatory work should be to examine the position of the various governments on the major questions at issue between them, and to establish what subjects should be submitted for examination by Heads of Government. It would not be the purpose of these preparatory talks to reach decisions but to bring out, by general discussion, the possibilities of agreement.

The Foreign Ministers, assuming they have concluded the preparatory work to their satisfaction, would reach agreement on the date and place of the Summit meeting and decide on its composition.

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<sup>1</sup> Department of State press release 159, March 31, 1958. The declaration had previously been approved by the NATO Council.

If this procedure is acceptable to the Soviet Government it is suggested that diplomatic exchanges should start in Moscow in the second half of April.

*Note from the American Ambassador (Beam) to the Polish Deputy Foreign Minister (Winiewicz), on the Rapacki Plan, May 3, 1958.<sup>1</sup>*

I have the honor to acknowledge the receipt of Mr Rapacki's note of February 14, 1958, enclosing a memorandum elaborating on the Polish Government's proposals concerning the establishment of a denuclearized zone in Central Europe.

Recognizing that the initiative of the Polish Government stems from a desire to contribute to the attainment of a stable and durable peace, my Government has given these proposals serious and careful consideration. On the basis of this study it has concluded that they are too limited in scope to reduce the danger of nuclear war or provide a dependable basis for the security of Europe. They neither deal with the essential question of the continued production of nuclear weapons by the present nuclear powers nor take into account the fact that present scientific techniques are not adequate to detect existing nuclear weapons. The proposed plan does not affect the central sources of power capable of launching a nuclear attack, and thus its effectiveness would be dependent on the good intentions of countries outside the area. The proposals overlook the central problems of European security because they provide no method for balanced and equitable limitations of military capabilities and would perpetuate the basic cause of tension in Europe by accepting the continuation of the division of Germany.

An agreement limited to the exclusion of nuclear weapons from the territory indicated by your Government without other types of limitation would, even if it were capable of being inspected, endanger the security of the Western European countries in view of the large and widely deployed military forces of the Soviet Union. Unless equipped with nuclear weapons, Western forces in Germany would find themselves under present circumstances at a great disadvantage to the numerically greater mass of Soviet troops stationed within easy distance of Western Europe which are, as the Soviet leaders made clear, being equipped with the most modern and destructive weapons, including missiles of all kinds.

The considerations outlined above have caused the United States in association with other Western powers to propose that nations stop producing material for nuclear weapons, cease testing such weapons and begin to reduce present stockpiles. The United States has further proposed broader areas of inspection against surprise attack, including an area in Europe, roughly from the United Kingdom to the Ural mountains. We remain willing to do this. You will recall, moreover, that the Western nations offered at the London disarmament negotiations to discuss a more limited zone in Europe. With regard to missiles you will recall that over a year and a half ago the United States proposed that we begin to study the inspection and

<sup>1</sup> Department of State press release 342, May 4, 1958.

control needed to assure the exclusive peaceful use of outer space now threatened by the development of such devices as inter-continental and intermediate range ballistic missiles.

The United States, in association with other Western Powers, has also proposed that a comprehensive and effective European security arrangement be established in conjunction with the reunification of Germany. The proposed arrangements would provide for limitations on both forces and armaments, measures for the prevention of surprise attack in the area, and assurances of reaction in the event of aggression.

Your note speaks of the existence of opposing military groupings in Central Europe as being responsible for tensions in the area. It should not be necessary for me to recall that the present division of Europe stems primarily from the decision of the Soviet Union not to permit Eastern European nations to participate in the European Recovery Plan. Nor need I repeat the many assurances given as to the defensive character of the North Atlantic Treaty Organization which is reflected in its entire organizational and command structure. The entire history of its creation and development testify to this, though persistent efforts are made in some quarters to portray it otherwise.

In the absence of effective arrangements either general or regional in character which would promote real security and in view of the present policies and armaments of the Soviet Union, the countries of Western Europe along with Canada and ourselves, joined in alliance with them, have no other recourse than to develop the required pattern of integrated NATO military strength and to utilize for defensive purposes modern developments in weapons and techniques.

The views which I have presented above on behalf of my Government point out the basic reasons why the United States considers that the Polish Government's proposals for establishing a denuclearized zone in Central Europe would not serve to advance their expressed objectives. Nevertheless, the United States appreciates the initiative of the Polish Government in seeking a solution to these problems. It hopes that this exchange of correspondence will enable the Polish Government better to understand American proposals in the fields of European security and disarmament. I trust that the improved relations between Poland and the United States will serve as a basis for a better understanding between our two countries on these problems, as well as on other matters.

*Memorandum from Foreign Minister Gromyko to the Western Ambassadors, on the Agenda of a Possible Summit Meeting, May 8, 1958.<sup>1</sup>*

[Extracts]

[Official translation]

**PROPOSALS OF THE SOVIET GOVERNMENT AS TO QUESTIONS TO BE CONSIDERED AT THE CONFERENCE WITH PARTICIPATION OF THE HEADS OF GOVERNMENT**

On January 8, 1958, the Soviet Government presented for consideration by other Governments its concrete proposals on problems of easing international tension. These proposals provide for a high-level conference of top government officials with the participation of the Heads of Government to discuss issues the settlement of which would promote the easing of international tension and the creation of trust in relations between states.

As before, the Soviet Government considers that a series of pressing international problems can be solved even at the present time. Its position is that it is necessary and possible to achieve agreement among states on outstanding issues in international relations. The Soviet Union, for its part, has listed a number of such issues and is prepared to participate in the consideration of other problems which might be proposed by the participants in the conference at the summit provided, of course, that these questions are within the competence of the international meeting and are directed toward strengthening peace.

The Soviet Government is firmly convinced that if the Heads of Government firmly resolve to devote their efforts to seeking mutually acceptable solutions for pressing international problems, then it is possible to say with certainty that the forthcoming conference at the summit will ensure the necessary turning point in the development of relations between the states in the direction of improving the entire international situation and the liquidation of the "cold war."

Taking into account the exchange of views which has occurred on the question of convening a conference at the summit and seeking to facilitate the completion of the preparatory work for this conference in as short a period as possible, the Soviet Government for its part submits for consideration at the conference the following questions and at the same time sets forth some views on these questions:

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**2. Creation in Central Europe of a zone free of atomic, hydrogen and rocket weapons**

At the present time, two groups of states oppose each other in Central Europe and armed forces and armaments of various types, in quantities abnormal for peacetime, are concentrated there. This one circumstance alone creates a serious threat to peace and it is impossible to ignore the fact that in such a situation, by evil intent or by

<sup>1</sup> Department of State Bulletin, July 7, 1958, pp. 17-22. For the next step in the "summit" negotiations, see Western memorandum of May 28, 1958 (infra).

chance, the fires of a new war can break out with the use of the most modern means of destruction, that is, nuclear and rocket weapons.

In order to preclude the danger of such a turn of events, the Soviet Government deems it expedient to examine at the conference the proposal of the Government of the Polish People's Republic concerning the creation in Europe of a zone free of atomic, hydrogen, and rocket weapons, which would include the territories of the Polish People's Republic, the Czechoslovak Republic, the German Democratic Republic, and the Federal Republic of Germany. Assumption by these states of the obligation not to produce or to permit the stationing on their territories of nuclear weapons of all possible types, and also the establishment of sites for the launching of rockets capable of carrying nuclear warheads, would undoubtedly help to prevent the possibility of military conflicts breaking out in the center of Europe. Inasmuch as the Governments of the Polish People's Republic, the Czechoslovak Republic, and the German Democratic Republic have already declared their agreement to be included in a zone free of atomic weapons, the creation of such a zone now depends only on the agreement of the Government of the Federal Republic of Germany.

Agreement among the Governments of the USSR, the USA, the United Kingdom, and France on the advisability of creating a zone free of atomic weapons in this area of Europe would undoubtedly facilitate reaching an agreement with the Government of the Federal Republic of Germany with regard to the Federal Republic of Germany's joining this zone.

Agreement on the creation of a zone free of atomic weapons in Europe will be effective if, along with the corresponding obligations of the states included in the said zone, the powers that include nuclear and rocket weapons among the armaments of their forces would, for their part, assume an obligation to respect the status of this zone and consider the territory of the states included in it as excluded from the sphere of use of atomic, hydrogen, and rocket weapons. As for the Soviet Union, it has already declared its readiness to assume the above-mentioned obligations if the Governments of the US, the United Kingdom, and France do the same.

The obligations of the states included with the zone and the obligations of the Great Powers could be legalized both in the form of an appropriate international treaty and also in the form of appropriate unilateral declarations.

For the purpose of ensuring the effectiveness of the obligations and their fulfillment, the states concerned would be obligated to establish in the territory of the zone free of atomic weapons a system of broad and effective control, both on land and in the air, with the establishment of control points by agreement of the states concerned. The creation in the center of Europe of a zone free of atomic weapons would be an important step on the road toward cessation of the dangerous arms race and removal of the threat of atomic war.

#### *4. Non-aggression pact*

Seeking to further the easing of international tension, the Soviet Government considers that it would be in the interests of cessation of the "cold war" and of the arms race to conclude in one or another form a non-aggression pact (or agreement) between the states members of

NATO and the states participating in the Warsaw Pact. Conclusion of such a pact would be an important step on the road toward the creation of an all-European system of security and the strengthening of mutual trust and cooperation between states.

If the Western powers display a desire to conclude such a pact or agreement, then in the opinion of the Soviet Government it would not be difficult to come to an agreement on its form on the basis of a multilateral agreement among all countries included in the Warsaw Pact organization and the North Atlantic Alliance, or among certain countries belonging to these groups, or, lastly, in the form of non-aggression agreements on a bilateral basis between separate members of these groups.

The Soviet Government considers that the basis for such an agreement must be the mutual renunciation by the contracting parties of the use of force or threat of force and the obligation to settle disputes which may arise between the parties to the agreement by peaceful means alone. The desirability of mutual consultations among the parties to the agreement, in connection with the fulfillment of the obligations undertaken by them under the agreement, should also be envisaged.

Such a pact could be open to accession by all the other states of Europe in order to facilitate the creation at a later stage of a system of all-European security and the gradual liquidation of existing military-political groups.

In proposing the conclusion of a non-aggression pact, the Soviet Government regards it as the first step toward a radical improvement in the relations among the states included in the North Atlantic Alliance and the Warsaw Pact organization and as a prerequisite for the conclusion at a later stage of a broader treaty on European security.

##### *5. Prohibition of the use of outer space for military purposes; liquidation of foreign military bases in foreign territories; international cooperation in the study of outer space*

Scientific-technical progress in the realm of rocket technology has raised the question of what direction the use of the latest scientific achievements will take: Will they serve peaceful purposes or will they be used for furthering the arms race, increasing the danger of the outbreak of an atomic war?

An effective measure, which would completely exclude the possibility of using outer space for military purposes and which would ensure application of the tremendous achievements in the creation of rocket and artificial earth satellites exclusively for peaceful purposes, would be a complete and unconditional ban on atomic and hydrogen weapons, together with their exclusion from armaments and the destruction of stockpiles. Since this is difficult at the present time, owing to the position of the Western powers, and must obviously be realized at a later stage, the Soviet Government proposes that at the present stage agreement be reached on a ban on the use of outer space for military purposes with, at the same time, the liquidation of military bases in foreign territories, first of all in the territory of the countries of Europe, the Near and Middle East, and North Africa. Such a measure would be in the interest of the security of all states. As for the states in whose territory such military bases are situated, such a decision would only be to their advantage, as the liquidation

of military bases would remove the threat to which they subject themselves by making their territory available for the establishment of foreign military bases.

Guided by these considerations, the Soviet Government proposes a discussion of the question of concluding an international agreement on the use of outer space for peaceful purposes, which would include the following basic provisions:

A ban on the use of outer space for military purposes and an obligation on the part of states to launch rockets into outer space only in accordance with an agreed international program.

Liquidation of foreign military bases in the territory of other states, first of all in Europe, the Near and Middle East, and North Africa.

Establishment, within the framework of the UN, of appropriate international control of the fulfillment of the above obligations.

Creation of a UN agency for international cooperation in the field of the study of outer space.

Conclusion of such an agreement would lead toward broad international cooperation in the peaceful use of outer space and would initiate joint research by scientists of all countries in problems connected with the cosmos.

#### *6. Reduction in the number of foreign troops stationed in the territory of Germany and within the borders of other European states*

Consistently seeking the necessary agreement with other powers, the Soviet Union more than once has introduced concrete proposals on disarmament, and has also carried out a series of unilateral measures for reducing its own armed forces and armaments, proceeding from the premise that the other Great Powers will, for their part, follow this example. The Soviet Union is an advocate of a radical solution of the disarmament problem, a substantial reduction in the armed forces and armaments of states, the complete withdrawal of foreign armed forces from the territory of European states members of both military groups, including Germany, and the liquidation of all foreign military bases on foreign territories.

However, inasmuch as the Western powers have hitherto not displayed their readiness to come to an agreement on all these questions, the Soviet Union proposes, at this stage, that a start be made toward the solution of those questions on which there already exists a complete possibility of reaching an agreement. The Soviet Government proposes a gradual reduction of foreign troops in foreign territories and submits the proposal, in the nature of a first step, to reduce during 1958 the armed forces of the USSR, the US, the United Kingdom, France, and other states having troops in the territory of Germany, by one-third or to any other agreed extent. The reduced contingents of these troops must be withdrawn from the territory of Germany inside their own national frontiers.

The question of a substantial reduction in the armed forces and armaments of states and the conclusion of an appropriate international agreement with this objective, as well as the complete withdrawal of foreign armed forces from the territories of the states members of NATO and the Warsaw Treaty could be discussed during the following stage of negotiations.

### 7. Conclusion of a German peace treaty

All the peoples of Europe, which were drawn into the war on the side of Hitlerite Germany, have long been enjoying the fruits of a peaceful situation and have been building their life independently, whereas the German people are still deprived of the conditions for the peaceful development of their country and existence on equal terms with other peoples. The absence of a peace treaty also has a negative effect on the solution of its national task of unifying the country. Furthermore, the lack of a solution for questions connected with a peaceful settlement in Germany is used by those who do not value the fate of peace in Europe for drawing the Western part of Germany into preparation for atomic war.

Under these conditions, the Soviet Government considers that the powers responsible for the development of Germany in a peaceful manner should strive to attain a peaceful settlement with Germany as soon as possible. Being an advocate of such a settlement, the Soviet Government reiterates its proposal for a discussion at a summit conference of the question concerning the preparation and conclusion of a German peace treaty.

However, taking into consideration the attitude of the Governments of the US and other Western powers toward this proposal, the Soviet Government would be ready at the forthcoming meeting to come to an agreement at least on the first steps toward the solution of this question, namely, to agree, at the present stage, on the basic principles of a German peace treaty and the manner of its preparation. In this, the Soviet Government proceeds from the premise that preparatory work toward conclusion of a German peace treaty, with the participation of German representatives from the GDR and the FRG, would give impetus to the unification of the efforts of the German Democratic Republic and the Federal Republic of Germany toward their rapprochement and restoration of the unity of the German people.

### 8. Prevention of surprise attack against one state by another

Inasmuch as it still does not appear possible at the present time to resolve the problem of disarmament in full and there is talk of reaching an agreement regarding partial measures of disarmament, the Soviet Government proposes that the question of the prevention of surprise attack be gradually resolved, according to the nature of the measures, in the field of disarmament in the first stage. It would be necessary to come to an understanding concerning the establishment of control posts at railroad junctions, in large ports, and on main highways, and concerning the taking of aerial photographs in the zones of demarcation of the principal armed forces of the military groups in Europe, at the present stage in definite limited areas, which will be considered as the most important from the point of view of eliminating the danger of surprise attack.

In proposing such an approach to the solution of this problem, the Soviet Government proceeds from the premise that the Western powers have recognized the practical value of the Soviet proposal concerning the establishment of control posts as a means of preventing surprise attack. This gives a basis for hope that the conference can come to an agreement on this question.

The Soviet Government reiterates its proposal on the establishment in Europe of a zone of aerial inspection to a distance of 800 kilometers east and west of the line of demarcation of the armed forces of the NATO and Warsaw Pact military groups.

As for the proposal for carrying out aerial photography of vast regions or of the whole territory of the USSR and the USA, this question cannot be considered apart from measures for easing international tension and strengthening trust between states, especially between the Great Powers. In the present international situation, with the continuing arms race, which causes international tension as well as distrust and suspicion in the relations between states, with the "cold war" casting its black shadow over the whole international situation, the proposal concerning reciprocal flights over the entire territories of both countries is unrealistic. The Soviet Government considers, however, that this step can be carried out at the concluding stage of the problem of disarmament, that is, when the question concerning the complete ban on atomic and hydrogen weapons, with their elimination from armaments, concerning the substantial reduction of the armed forces and armaments of states, and concerning the liquidation of military bases in foreign territories is settled, that is, when relations of trust between states are actually established.

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*Address by Secretary of State Dulles in Berlin, May 8, 1958<sup>1</sup>*

It is an inspiration to be again in Berlin, for my fourth visit since the end of World War II.

I was here a few months after the close of hostilities. I then saw Berlin as a mass of rubble. It seemed that the city was beyond the possibility of reconstruction. I felt at the time that the plight of Berlin presented a challenge which was beyond human response. But that almost unbelievable challenge was in fact met through a display of human energy and human faith which has few parallels in history.

Then, in 1948, I rode the airlift to Berlin. The Soviet Union was at that time imposing an economic blockade which it seemed would force the city to succumb. But the courage and resourcefulness of the people of Berlin, and of the free nations which mounted and sustained the airlift, demonstrated that freedom had a power of resourcefulness and resilience which the despots had grossly underestimated. Berlin was not isolated. The attempted blockade was abandoned and Berlin continued proudly to demonstrate within the captive world the good fruits of freedom.

I was next here in January 1954 to attend the Four Power Conference which it was hoped would bring about the reunification of Germany in freedom and the liberation of Austria. We were spurred in our effort by the tragic events of the preceding June and July when the workers in East Berlin and the Soviet occupied zone rose in a rebellion usually known as "June 17". This spontaneous, courageous and brutally repressed demand by the workers for decent conditions made it the more urgent that the alien occupation should be ended and the liberation of Germany accomplished.

<sup>1</sup> Department of State press release 222, May 8, 1958.

The Western representatives struggled valiantly, but in vain. The conference failed to achieve its specific goals. But the conference itself was not a vain thing. All the world judged the issues and, I said on my return home from that conference, the conference "cleared the way for other things. The unification and the strengthening of West Europe may now go on". It did, in fact, go on. Sovereignty was restored to the Federal Republic of Germany; it became a full member of the North Atlantic Treaty Organization and a party to the Treaty for Western European Unity. And today the Federal Republic not only helps to build the institutions which, militarily and economically, will unify Western Europe, but, under its great Chancellor Adenauer, it plays a major role in the councils of the free world.

Today I am in Berlin for the fourth time to see, and marvel at, the accomplishments of your people who, in the face of unprecedented handicaps, make Berlin a center of cultural and intellectual life and of industry.

On behalf of the President and people of the United States, I say "all honor" to the people of Free Berlin. It has been for us a privilege and an inspiration to be associated with you.

On the basis of my experience, Berlin ought to be required visiting, or, if that is impossible, the story of postwar Berlin ought to be required reading, by all who would understand the significance of the worldwide struggle which now preoccupies so much of the human race.

## II.

A first lesson of Berlin is taught by your environment. You live here encircled by a surrounding ring of Communist rule. Your position in this respect is itself a tragic symbol of disregard for the pledged word. The Potsdam Agreements of 1945 made it perfectly clear that the purpose of the military occupation was not to dismember Germany or permanently to divide it. And indeed until recently the Soviet Union admitted the responsibility of the four powers to bring about the reunification of Germany. At the Geneva Summit meeting of July 1955, President Eisenhower, together with the Prime Ministers of France and the United Kingdom, obtained formal recognition by the heads of the Soviet Government, including Mr. Khrushchev, that the four powers had "common responsibility for the settlement of the German question and the reunification of Germany" and they "agreed that the settlement of the German question and the reunification of Germany by means of free elections" should be carried out. Those engagements, it now seems, are evaded by the Soviet Union.

This illustrates the great difficulty of dealing with the Soviet Union. Most governments believe that a moral sanction attaches to their engagements. They do not undertake solemn and precise international undertakings except with the intention of carrying them out. Their record of performances is not always perfect. But at least they do not look upon the making and their breaking of agreements as a legitimate technique for advancing their interests.

In the case of the Soviet Union it is otherwise. Its rulers are atheistic materialists. So far as they are concerned, their agreements carry no moral sanction. It often seems as though they treat the making and breaking of agreements as a legitimate international tech-

nique and that their promises are, as Lenin said, "like pie crusts, made to be broken".

That is why we find it so difficult to make progress in resolving political problems and in achieving limitation of armament. The attitude of the Soviet Union toward its agreements constitutes a grave obstacle.

You, yourselves here in Berlin, you who are a living exhibit of Soviet violations of international agreements, surely understand. And your plight ought to teach the world that it is reckless to make concessions in reliance on Soviet promises merely because those promises are alluring.

Also you here see about you the tragic results of the application of the Communist thesis that individuals are not spiritual beings but merely physical particles to be used to promote the glorification of the Soviet Communist State and the extension of its dominion throughout the world. The steady flow of refugees from East Germany which continues at the high level of about 20,000 per month is an indisputable demonstration of which of our societies provides the most in the way of human opportunity, both in terms of economic livelihood and in terms of spiritual and cultural satisfaction. This steady flight from the East to West is the more significant because those who seek the West are in large part young people who throughout most of their mature lives have been subjected to the intense application of Communist doctrine and practice.

### III.

A second lesson that Berlin teaches is the immense capacity of human beings who are endowed with faith.

To me one of the most inspiring portions of the Holy Scripture is found in the Letter of Paul to the Hebrews, where he recounts the great acts of faith which had marked the history of the Hebrew people. He concludes, "Seeing that we also are compassed about with so great a cloud of witnesses, let us run with steadfastness the race that is set before us".

Surely the people of Berlin are writing a new and epic chapter in the history of steadfast faith and works. In the face of discouragements and obstacles such as few have ever had to encounter, you have rebuilt your city from its rubble. You have established here your free university. You have reconstructed the Hall of the Technical University within the shattered ruins of its former imposing structure. You have rebuilt the Hansa Viertel as one of the most impressive urban developments in Europe. You have rebuilt your churches. And there has been a revival of drama, music and of religious and intellectual life which demonstrates that the physical shackles to which you were subjected could be, and were, broken by faith in your great destiny and by hope and expectation of a richer and freer life to come.

No one can see the West Berlin of today without recognizing the extraordinary courage and inspiration that is making Berlin one of the great cities of Europe.

Let me say to you that I believe that your faith and hope in the future are not misplaced and will be rewarded.

I recall the somber meeting here in 1954 when the Soviet delegation

adamantly opposed both the liberation of Austria and the reunification of Germany.

But in 1955 the Soviet Union suddenly decided to liberate Austria. That decision came as a surprise, and in reversal of the adamant position which the Soviet Government had held for nearly a decade.

It shows that we need not despair for Germany and for Berlin. The day will come when, probably unexpectedly and without predictability, the Geneva promises of 1955 will be fulfilled and Germany will again be reunified in freedom.

#### IV.

A third lesson is that this is a vast potential spiritual unity and practical cooperation of those everywhere who love freedom. Free Berlin and free Germany would never have achieved their present advances without the faith and works of their own people. But equally indispensable was the support of other free peoples.

Americans are proud of the part they have been privileged to play in this connection. The first clearing of the city and the reestablishment of the basic facilities—light, heat, power, sewers and transport—were all carried out with German labor and planning, and with financial contributions from the United States.

The airlift which surmounted the Soviet blockade was conducted by the Western Powers.

Following the end of the blockade there has been a well planned development in the way of construction, both industrial and cultural, in all of which the United States has been glad to help. Here in Berlin, cooperation has become real in stone and mortar, in halls of learning, in places of work and conference, in labor and in recreation.

Perhaps most important of all is the shield of power behind which these tasks of peace are carried forward.

I recall here the declaration which the Foreign Ministers of the United Kingdom and France and I made on October 3, 1954. We said:

"The security and welfare of Berlin and the maintenance of the position of the Three Powers there are regarded by the Three Powers as essential elements of the peace of the free world in the present international situation. Accordingly, they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and upon themselves."

I am glad, on behalf of my Government and with the express authority of President Eisenhower, again to reaffirm here today that declaration.

I know that the people of Berlin realize how significant for them has been the military deterrent which has provided a shield behind which their works of peace have gone forward. I hope that you and others will realize that the peace and security of all of the free world equally depend upon such a shield.

The Soviet Government is attempting by every act of propaganda to compel the abandonment of that shield. It claims that those who create that shield are proved by that fact to be evil militarists. It

claims that those who draw together to get protection from that shield are "aggressive groupings". It claims that those who seek only defense should prove it by renouncing all but inferior weapons, leaving modern weapons to be a monopoly of those who have a tragically long record of expansion by the use of violence.

It claims that certain of our aerial defense precautions are dangerous and frightening. But when we try to make it possible to revise them on the basis of reciprocal international inspection that will give a large measure of assurance against surprise attack, the Soviets say "nyet". They did so again at the United Nations Security Council last week.

The Soviet Union professes not to want to use nuclear weapons, but insists upon continuing at a feverish pace to multiply such weapons in its own arsenals. It calls the free world to rely upon Soviet promises not to use its nuclear weapons in the event of war despite the long record of broken promises to which I have alluded.

This Communist propaganda line is designed to produce a world dominated by the military power of the Sino-Soviet bloc. Freedom would have no adequate defense. There is a duty to look behind words that sound alluring and to see and reject the underlying plot against freedom.

I hope that the lessons of Berlin—the lesson taught by its surroundings, the lesson taught by its faith and the lesson taught by the cooperative action of the free—will be applied to the larger context of world affairs.

All peoples in all the world, including the peoples of the Soviet Union, look with horror at the prospect of a new war. All would take any dependable steps to reduce that prospect, and, above all, to eliminate the new weapons which threaten humanity with virtual extinction. But Berlin teaches that there cannot be confidence in mere Soviet Communist promises; that there cannot be safety in weakness. It also teaches that man is a spiritual being able, by faith, to perform miracles. And that men of faith are not prepared to succumb to a rule that is atheistic and militaristic merely in the hope of thus insuring continued existence.

And men who are free—and all who having lost freedom would regain it, can pay homage to Berlin, and learn and apply the lessons that it teaches.

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*Memorandum from the Western Powers to the Soviet Union, on  
Agenda for a Summit Meeting, May 28, 1958<sup>1</sup>*

[Extracts]

The Governments of the US, UK and France believe that the present international situation requires that a serious attempt be made to reach agreement on the main problems affecting the attainment of peace and stability in the world. They consider that, in the circumstances, a Summit meeting would be desirable if it would provide the opportunity for serious discussions of major problems and

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<sup>1</sup> Department of State press release 330, June 16, 1958. The memorandum was handed to Foreign Minister Gromyko by the British Ambassador on behalf of the United States, the United Kingdom, and France. See also Western paper of May 31, 1958 and Premier Khrushchev's letter of June 11, 1958 (*infra*).

would be an effective means of reaching agreement on significant subjects.

They regard such settlements as constituting effective means for developing a spirit of confidence in their relations with the Soviet Union which could lead to cooperation among nations in the pursuit of a just and lasting peace.

Such settlements, if they are to serve this purpose, must take into account the legitimate interests of all the parties concerned and must embrace the necessary elements to assure their implementation.

In his letter of January 12, 1958, President Eisenhower put forward a series of proposals to Premier Bulganin. The Governments of the US, UK and France consider that they form the basis for mutually beneficial settlements at a meeting of Heads of Government. Some of the considerations which underlie this view are set forth below. In making their proposals in the field of disarmament, the three governments recall their obligations, undertaken in the UN Charter, not to use any weapons against the territorial integrity or political independence of any state. While a comprehensive disarmament remains their ultimate aim, they propose certain practical balanced and interdependent measures which would mark significant progress toward controlling the arms race and thus reducing the danger of war. Progress of this sort would also create an atmosphere of confidence which could facilitate settlement of the political controversies that disturb relations between the Western Powers and the Soviet Union. Reduction in both nuclear weapons and conventional armed forces and armaments are vital for this purpose. The Three Governments therefore consider it desirable to make clear once again what were the reasons which led them to put forward far reaching proposals for partial disarmament in 1957.

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*6. Reunification of Germany in accordance with the terms of the 1955 Directive of the four Heads of Government to the Ministers of Foreign Affairs.*

The continued division of Germany is a major obstacle to the restoration of confidence and the creation of conditions of genuine peace and stability in Europe. Thirteen years have passed since the end of the war in Europe, yet no peace settlement has been made with Germany. A necessary prerequisite for such a settlement is the creation of a government which truly reflects the will of the German people. Only a government created on such a basis can undertake obligations which will inspire confidence on the part of other countries and which will be considered just and binding by the people of Germany themselves.

The Heads of Government in Geneva recognized the common responsibility of the four powers for the settlement of the German question and the reunification of Germany. They agreed that the settlement of the German question and the reunification of Germany through free elections should be carried out in conformity with the national interests of the German people and the interests of European security. The Western powers propose that the Soviet Union join with them in immediate steps to carry out their responsibility by agreeing to permit an all-German Government to be formed by free elections and enabling it to carry out its functions. Such an agree-

ment would give tangible evidence of a common desire on the part of the four governments to create the conditions of trust on which a lasting peace can be based.

#### 7. European security arrangements

The Western powers are aware of the fact that the Soviet Union has expressed concern that the creation of a freely-chosen all-German Government with the full attributes of sovereignty would bring about changes in the present situation in Europe which the Soviet Union would consider detrimental to its security interests.

The three governments are prepared to enter into arrangements concerning European security which would give assurances to the Soviet Union in this regard. The arrangements they envisage would involve limitations on forces and armaments. They would also involve assurances designed to prevent aggression in Europe by the exchange of undertakings to take appropriate action in the event of such aggression.

The three governments seek no one-sided advantage in such arrangements, nor do they contemplate entering into arrangements which would give a one-sided advantage to the Soviet Union to the prejudice of their essential security interests. Confidence can be created by international agreements only if the agreements take equally into account the legitimate security interests of all the parties concerned.

The Western powers call on the Soviet Union to enter into negotiations on the subject of European security in this spirit, with a view to concluding a treaty which would enter into force in conjunction with an agreement on the reunification of Germany. This would recognize the close link which the powers concerned have agreed exists between the two subjects. The linked settlement of these two questions and the confidence created thereby would also permit further progress to be made in the limitation of armaments generally.

#### 10. Ways of easing tensions in Eastern Europe.

The creation of conditions of stability in Eastern Europe based on relations of independence and friendship among the countries of the area would greatly contribute to the cause of promoting a just and lasting world peace. That this should come about is thus not an aspiration of neighboring Western Europe alone, but of all the world. This international interest found its expression in the international agreements concerning the right of the peoples of the area to choose their own governments; the peace treaties with their provisions designed to safeguard human rights; the efforts of many countries to improve the economic welfare of the people, and efforts to eliminate interference in their internal affairs.

The Western powers believe that a serious discussion of the problem posed by the existence of tensions in Eastern Europe should be held with the aim of eliminating interference in the internal affairs of the countries of that region and the use of force in the settlement of disputes there.

The Western governments believe that the proposals set forth above are feasible and could be put into effect now. They believe their implementation is verifiable. The proposals take into account the legitimate interests and security needs of the countries concerned. Their adop-

tion could create a basis for the development of an atmosphere of confidence and trust that would favor the growth of more active mutually beneficial relations between our peoples and governments.

*Western List of General Headings for Reviewing Specific Summit Agenda Proposals, May 31, 1958<sup>1</sup>*

(With Only Western Items Listed as Examples)

May 31, 1958

*Disarmament*

- a) Measures to control the production of fissionable material for nuclear weapons and to reduce existing military stocks of such material;
- b) The suspension of nuclear tests;
- c) The reduction and limitation of conventional arms and manpower;
- d) Measures to guard against surprise attack;
- e) The use of outer space for peaceful purposes.

*European Security and Germany*

- a) Reunification of Germany in accordance with the terms of the 1955 Directive of the four Heads of Government to the Ministers of Foreign Affairs;
- b) European security arrangements.

*International Exchanges*

- a) Cessation of jamming of foreign broadcasts;
- b) Censorship;
- c) Free distribution and sale to the public of books and publications;
- d) Free distribution and sale of foreign newspapers and periodicals;
- e) Freedom of travel

*Methods of Improving International Cooperation*

Means of strengthening the United Nations.

*Other Topics*

Ways of easing tension in Eastern Europe.

<sup>1</sup> Department of State press release 330, June 18, 1958. For the next step in the "summit" negotiations, see Premier Khrushchev's letter of June 11, 1958 (*infra*).

**Statement at News Conference by Secretary of State Dulles, on German Reunification, June 10, 1958<sup>1</sup>**

[Extract]

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Q. Mr. Secretary, in the last issue of *Newsweek* it said that you told associates, "I seem to be much stronger for unification than he is", meaning Adenauer. I was wondering whether you can confirm that.

A. I do not think that I am stronger for German unification than Chancellor Adenauer is. I think that there is a slight difference in our respective positions. I can see that, quite understandably, the Government of the Federal Republic does not want to seem to be in a position of blocking disarmament by saying that unless there is first a reunification of Germany nothing can be done in any field. None of us want to take that position.

On the other hand, the United States is a country which was at the last "Summit" conference, as the Federal Republic was not.

We are a party, as the Federal Republic was not, to certain agreements at that time with the Soviet Delegation.

We feel, quite independently of any other considerations, that integrity in dealing with the Soviets, and the ability to deal with them in other respects, would be put in question if we go back again to the "Summit" meeting and say, "Well, now, the first thing we do, Mr. Khrushchev, is to wipe off the books the last things we agreed to." Now, that goes not just to the question of the reunification of Germany. That goes to the question of the integrity of our agreements. It just happens that those agreements related to the reunification of Germany. But we have a certain position to claim that the agreements of the last "Summit" conference, whatever they were, should not be wiped off the books as we start, if we should start, a second "Summit" conference.

Now, you see, that is something which is a little apart from the particular merits of the reunification of Germany. It goes to the question of whether or not agreements made at the last "Summit" conference, whatever they are about, should still be a topic for discussion or whether we are willing to see them wiped off. We are not willing to do that.

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**Letter from Premier Khrushchev to President Eisenhower, on the Question of a Summit Meeting, June 11, 1958<sup>2</sup>**

The present situation with respect to the negotiations on the preparation of a summit conference compels me to address this message to you.

Nearly two months have already elapsed since preliminary negotiations through diplomatic channels, proposed by the Western Powers, were initiated on the preparation of the said conference. Some time ago, when the Western Powers brought up the question of preliminary

<sup>1</sup> Department of State press release 319, June 10, 1958.

<sup>2</sup> The President replied on July 2, 1958 (*infra*).

negotiations through diplomatic channels, the Soviet Government expressed serious doubts as to whether such procedure would facilitate the convening of a summit conference. We did not conceal our apprehension that by initiating such negotiations we might find ourselves on a slippery path which would result in delaying the whole matter and postponing the meeting of the heads of government. Nevertheless, the Soviet Government consented to these negotiations, since the Western Powers insisted on such a method of preparing the conference.

Unfortunately, our apprehension regarding preliminary negotiations are beginning to be borne out. In the matter of preparing the conference we are, as before, marking time, and as a matter of fact, on a number of questions we are even moving backwards. In such a situation many people, and not only in the Soviet Union, are beginning to ask the question whether the proposal itself for conducting preliminary negotiations of this kind was not calculated to put additional difficulties in the way of convening a summit conference. When the Soviet Government addressed the Government of the USA and the governments of other countries six months ago with an appeal to convene a broad international conference of top government officials, we were guided by the desire to find, through joint efforts, a way toward a radical change in the situation that has developed in international relations. We believed and still believe that at this conference agreement should be reached to ease relations between states, to liquidate the "cold war," to ensure conditions of peaceful coexistence of states, and not to resort to war as a means of resolving outstanding issues. One should not be reconciled to the dangerous direction which the development of relations between states has now taken, especially between the great powers. At the present time, when the destructive power of the weapons that states have at their disposal knows no limits, inaction would be a crime. The time has come for energetic joint intervention on the part of responsible government officials for the purpose of averting a terrible danger, of liberating humanity from the oppressive threat of atomic war, and giving people what they need most of all - lasting peace and confidence in a tomorrow.

In January of this year you, Mr. President, responded to the proposal to call a summit conference and communicated that you were prepared to meet with the leaders of the Soviet Union and other states. The Government of the United Kingdom and France likewise responded to this proposal. All of this strengthened our hopes for an early convening of such a conference and was well received by other governments and the peoples of all countries.

Under such conditions it was natural to expect that in the course of preliminary negotiations the parties would strive to submit for consideration at the conference those pressing international problems with regard to which, with the goodwill of the participants in the negotiations, it would actually be possible to achieve positive results even now and put the international situation on a healthier footing. We still adhere to these views, particularly in connection with preparing the agenda for a summit conference.

I take the liberty of again listing problems which, in the opinion of the Soviet Government, should be considered at this conference. These problems are the following:

- Immediate cessation of atomic and hydrogen weapons tests;
- Renunciation of the use of all types of atomic, hydrogen, and rocket weapons;
- Creation in Central Europe of a zone free of atomic, hydrogen, and rocket weapons;
- Conclusion of a non-aggression pact between states;
- Prohibition of the use of outer space for military purposes, liquidation of foreign military bases in foreign territories, and international cooperation in the study of outer space;
- Reduction in the number of foreign troops stationed in the territory of Germany and within the borders of other European states;
- Conclusion of a German peace treaty;
- Prevention of surprise attack against one state by another;
- Measures to expand international trade relations;
- Development of ties and contacts between states;
- Cessation of propaganda for war, hostility, and hatred between peoples;

#### Ways to ease the tension in the Near and Middle East.

We are putting the question of universal cessation of atomic and hydrogen weapons tests in the forefront. Why are we doing this? For the simple reason that such tests are, even now, in peace time, poisoning the atmosphere and the soil, contaminating every living thing on earth, having a pernicious effect on the health of human beings, and threatening the life of future generations, not to speak of the fact that these tests are leading to the creation of new and even more destructive types of weapons, the use of which in the event of an outbreak of war would have the most serious consequences for humanity.

An agreement on the cessation of nuclear tests, which is possible even now, would strengthen trust between states, would contribute to the creation of a peaceful atmosphere, for which the peoples of all countries are so starved, and would be a good beginning which would pave the way toward solution of all major international problems. In striving for the cessation of nuclear weapons tests we have unilaterally ceased testing, although this places us in an unfavorable position as compared to NATO member countries. After all, it is well known that the USA and the United Kingdom have conducted a considerably greater number of experimental explosions of nuclear weapons than the Soviet Union has, and thus an agreement on the cessation of these tests would stabilize the situation to the advantage of the NATO countries. But we are willing to accept this, we are sacrificing our interests, guided by the higher interests of mankind, and we consider that a cessation of nuclear weapons tests by all states would not give rise to distrust, but would rather contribute to the achievement of the main goal - to avoid war.

In making the said decision to cease tests we appealed to the USA and the United Kingdom to follow our example. However, much to our distress, the Governments of the USA and of the United Kingdom have not agreed to this and are continuing to carry on explosions of nuclear weapons. In these circumstances we consider it particularly important that this question be urgently discussed at a summit conference.

Likewise, who can deny that reaching agreement on such questions as renunciation of the use of all types of nuclear weapons, conclusion of an non aggression pact between the parties to the Warsaw Treaty and the North Atlantic Alliance, and creation in Central Europe of a zone free of nuclear and rocket weapons would result in easing international tension and would be an important step toward the solution of the disarmament problem as a whole?

Is it not in the interests of all countries that propaganda for war should cease, a propaganda which in certain states is conducted day in and day out, thus poisoning the relations between states?

And would it not be sensible to discuss such a question as the free development of trade and of other economic relations between states and mutually advantageous ways of considerably broadening such relations? I believe that the business circles in many countries, including the United States of America, would agree that it would be extremely useful to solve this problem. My views on this matter were set forth in greater detail in my letter addressed to you on June 2.

I believe that I am not mistaken in stating that by now few people could be found who would have the audacity to deny that reaching agreement on the questions proposed by us for consideration at a summit conference would correspond to the vital interests of every country and every people.

As you know, Mr. President, in the proposals handed to your Ambassador in Moscow on May 5 the Soviet Government set forth its views on the questions that might be discussed at the said conference. We did this in order to facilitate reaching agreement to convene the conference. In so doing we also took into account the views expressed by the governments of the Western Powers, primarily by the Government of the USA, in the course of the exchange of opinions concerning the preparation of the meeting. I am enclosing with this message the text<sup>1</sup> of these proposals of the Soviet Government.

In introducing its proposals for the agenda of a meeting of heads of government, the Soviet Union has stated from the very beginning that it is prepared to consider, with common consent, other proposals as well that would contribute to terminating the "cold war" and the armaments race. On the other hand, I shall like to emphasize very definitely that if the Western powers are not prepared to seek a solution at this time to all the questions proposed by the Soviet Union for discussion at the conference, then some of them could be selected and agreement could be reached on them, which would facilitate our further progress toward strengthening peace.

We expected that the governments of the USA, the United Kingdom, and France would consider the proposals of the Soviet Union with due attention and would determine their attitude toward them, and also that they would, on their part, be concerned with narrowing to the greatest possible extent the gap between the positions of the parties and facilitating the preparation of the conference. However, after studying the documents recently received from the three Powers in reply to the proposals made by the Soviet Government on May 5, we have discovered, to our profound regret, that in these documents questions are again raised which do not bring the possibility of agreement any closer but rather make it more remote and which we have repeatedly and clearly stated to be unacceptable to us. We ask our-

<sup>1</sup> Not printed here.

selves: why are the governments of the Western Powers acting in this way—does this possibly reflect a desire to insult us in some way?

Indeed, the so-called question of the situation in Eastern Europe is again raised in the proposals of the Western Powers that have been transmitted. A new attempt is thus made to return to a stage through which we have already passed and to impose discussion of a matter with regard to which the positions of the parties have long been exhaustively clarified. The Government of the USA knows very well that this is no subject for discussion. We have always repeatedly stated that we regard it inadmissible to raise such a question at an international conference. The Soviet Union does not intend to interfere in the internal affairs of other sovereign states and is of the opinion that no one can claim the right to such interference.

It is not difficult to imagine what an absurd situation the world would be in if at international conferences we started to bring up problems concerning the internal systems of states which were somehow not to the taste of certain people in other countries. Any rapprochement between states is out of the question if we engaged in discussions of the fundamental differences existing between social systems. Is this the path toward lessening international tension? To insist on interfering in the affairs of other states, on discussions of their internal affairs by third countries having no authority whatever to do so, means starting on a course of gross violation of the UN Charter, which prohibits such interference; it means mocking the principles of the United Nations.

The absolutely fictitious nature of the very talk about the so-called "tension in Eastern Europe," by which they attempt to justify the demand for including this question in the agenda for the conference, is also obvious. The Soviet Union has diplomatic relations with all the countries of Eastern Europe and maintains the most active relations with them. And I must say that we know of no signs of any kind of "tension" in this area. If the Government of the USA has any lack of clarity with regard to the situation in these countries, it also has ambassadors in almost all of these countries and nothing prevents it from elucidating matters of interest to it through normal diplomatic channels. And if we are to speak frankly, anyone who has the slightest knowledge of the present international situation knows full well that the tension endangering the cause of peace is to be sought on entirely different directions.

If the governments of the Western Powers, which know full well the point of view of the Soviet Union and of the people's democracies themselves concerning this question, still consider it possible to propose it again for consideration at the conference, can this be understood as being anything other than proof of an intention to bury in its very embryo stage the conference with the participation of the heads of Government?

It is also impossible to give any other appraisal to the desire of the three Western Powers to impose consideration of the problem of the unification of Germany at the conference with the participation of the heads of government. And in this case, as the Soviet Government has already repeatedly had occasion to bring to the attention of the Government of the USA, it is a question of a problem which does not come within the competence of an international conference.

It seems to us that it should have been recognized long ago as an indisputable truth that under present conditions the unification of Germany can be brought about solely as the result of the efforts of the two sovereign states now existing on German territory. The GDR and the FRG can, given the desire on both sides, reach agreement between themselves much more easily without the interference of third countries. After all, the Germans in the East and in the West of Germany speak one and the same language; they will not even need interpreters for their negotiations, not to mention foreign guardians who would decide for the Germans questions concerning the destiny of the German people.

As is well known, even the Government of the FRG has stated that discussion of the problem of the unification of Germany should not be considered as a condition for convening a summit conference. Apparently it is not inclined to assume the heavy responsibility of frustrating a conference the convening of which has been long awaited by the peoples of the world. Should the position of the three Western Powers be understood to mean that they are prepared to assume such a responsibility, and are they not using the question of the unification of Germany as a means of creating additional difficulties for an agreement on convening a summit conference?

In the proposals of the Western Powers there have been set forth considerations concerning the matter of European security. The importance of this problem at this time is of course indisputable. A great deal must and can be done to strengthen peace in Europe and to lessen the danger of a war breaking out on the European continent. But what proposals are made to us in this matter?

If we are to speak frankly—and I think that only under conditions of complete frankness can our exchange of opinions be really useful—the sense of these proposals, which are presented as a plan for strengthening European security, amounts to the following: the Western Powers desire to draw all Germany into their military grouping and wish to reassure the peoples of Europe by statements concerning the furnishing of “guarantees.”

As long ago as our meeting in Geneva we called attention to the fact that the proposal concerning some sort of guarantees for the Soviet Union was strange, to say the least. It is a known fact that guarantees are usually given by a strong state (or states) to a weak state. In this connection the basic premise is the inequality of strength, and a strong state determines the conditions with respect to the weak state. A state to which guarantees are given is made dependent on the state which gives these guarantees. History contains many examples where a state that had given guarantees violated its obligations and thereby created a situation where there was no way out for the state to which the guarantees had been given. You will agree, Mr President, that the Soviet Union is not a weak state and that, consequently, it needs no guarantees, since it is able to defend its interests itself. Thus the conditions which would justify the very raising of the question of guarantees are lacking in this particular case. Behind the raising of the question of guarantees as applied to the USSR there is obviously the desire to place our state in a position that would be unequal with regard to other states, which in itself demonstrates how unfounded this desire is.

It would be a different matter if the Great Powers, including the USSR, should assume mutual guarantees and consequently accept such a solution of the problem as would not place any of the Powers in an unequal or even humiliating position. But the conclusion of a nonaggression pact, the tremendous significance of which cannot be denied if the situation is evaluated objectively, would satisfy this requirement of mutual guarantee.

The artificial nature of this entire proposal for "guarantees" to the Soviet Union becomes particularly clear if account is taken of the fact that the powers occupying the command position in the North Atlantic military grouping, the entire activity of which is dominated by military preparations against the Soviet Union and the countries friendly to it, are the ones who are proposing that they assume the role of the guarantors. Thus "security guarantees" are proposed to us on the part of a bloc of countries which are constantly forging the instruments of war, the military leaders of which make appeals almost daily for atomic war against the Soviet Union, and the propaganda machinery of which constantly fans the feelings of war hysteria. Perhaps there are people who tend to close their eyes to reality and to rely on reassuring words, but we do not belong to this category. I do not doubt even for a minute that under similar circumstances the Government of the USA would take the same position.

It is our firm conviction that the task with regard to the question of European security does not consist in advancing some sort of "guarantees" for the Soviet Union, guarantees that are not needed by it, but rather in ensuring the security of all European nations and in creating a situation where Europe could not again become the arena of a new war.

It is the achievement of this goal that would be furthered by the creation in Central Europe, as proposed by the Government of the Polish People's Republic, of a zone free of nuclear and rocket weapons and also by a reduction, with the establishment of appropriate mutual control, in the number of foreign troops stationed in the territories of European states, primarily in Germany. The implementation of these measures would not violate the interests of any state. On the contrary it would sharply reduce the possibility of an outbreak of atomic war in an area where now huge masses of armed forces and armaments of the opposing groupings of states are concentrated in immediate proximity to each other. The creation of the said zone in one area could gradually lead to such zones also coming into being in other places, and an ever-increasing portion of the territory of the globe would be excluded from the sphere of preparations for atomic war. The risk of peoples being involved in such war would thereby be diminished.

We believe that such a question as the conclusion of a nonaggression pact between states parties to the Warsaw Treaty and states parties to the North Atlantic Alliance was long ago ready for decision. The conclusion of such a pact, the significance of which was also emphasized by Mr Macmillan, Prime Minister of the United Kingdom, would in no way violate the existing relationship of forces between the two groups, and would at the same time be tremendously beneficial. The element of stability and reassurance that is so necessary would be injected into the entire international situation. Nations would see that the most powerful states from a military stand-

point have achieved agreement among themselves and do not want war. Need it be said that the threat of war would immediately be reduced, since it is absolutely clear that a new military conflagration in Europe, and not only in Europe, under present conditions can occur solely as a result of a conflict between the two main groupings of powers.

In this connection I should like to recall that, since the date of the transmittal on May 5 of the proposals of the Soviet Government, the question of concluding a nonaggression pact was considered at a conference of countries parties to the Warsaw Treaty, which developed a draft of such a pact and addressed the countries members of NATO with a joint proposal on this matter. The Soviet Government expresses the hope that the Government of the USA will consider the said draft and communicate its views thereon.

In the proposals of the governments of the USA, the United Kingdom, and France, as well as in the proposals of the Soviet Government, other questions are raised pertaining to disarmament. We believe that such questions deserve serious attention. However, considering the experience of long negotiations in the Subcommittee of the UN Disarmament Commission, concerning which we have already had occasion to set forth our point of view, we doubt that these questions in the form in which they are presented in the present proposals of the Western Powers are being advanced in order really to achieve a concerted solution thereof, or to reach an agreement on complete disarmament, or to implement even the initial measures such as the cessation of nuclear weapons tests, etc.

Why do we express such doubts and lack of confidence? It is because the Western Powers, those same powers that took part in the UN Subcommittee on Disarmament and in fact represented NATO there, after receiving our concrete proposals on urgent measures for disarmament, have actually failed to give us a reply to these proposals. They again repeat their previous proposals, arguing that the problem of disarmament can only be solved as a whole, so to speak. In this way they are attempting to force the issue back to the old course which was not productive and to renew futile discussions of the problem of disarmament "as a whole."

Such a discussion, more accurately described as a dispute, concerning the problem of disarmament, has continued for over 13 years behind closed doors. Actually no negotiations were conducted; this was merely a deception of public opinion, where illusions were created as if the matter of disarmament were moving forward, but in reality not a single practical problem of disarmament was settled. Moreover, under the cover of these disarmament negotiations the Western Powers started an unprecedented armaments race. This is why the Soviet Union has refused to take part in the work of the Disarmament Commission, and we shall not take part in it as long as the NATO countries insist on their demands, absolutely unacceptable principles as regards the approach to the problem of disarmament.

The Government of the USA well knows that the Soviet Union has been and remains an advocate of a radical solution of the problem of disarmament. It has repeatedly proposed to the Western Powers that agreement be reached on an all embracing program of disarmament, including a considerable reduction in armed forces and armaments,

the prohibition of atomic and hydrogen weapons, and appropriate measures of international control. However, the Western Powers have not manifested the desire to reach agreement on such broad measures of disarmament.

If we have not succeeded in the course of 18 years in reaching agreement on the problem of disarmament "as a whole," with the solution of certain problems linked with the solution of others, than can it be expected that with such an approach this problem can be settled in the course of a few days at a conference of heads of government? Is it not obvious that the only realistic method is to single out and solve in the first instance those problems which have already become ripe for settlement and then proceed to the solution of the most complicated problems. This is what the Soviet Union proposes.

The Soviet Government has considered and still considers it to be its duty to do everything possible to promote the speediest possible solution of the disarmament problem. We were guided by this goal when we were recently adopting the decisions to reduce substantially our military forces and to cease unilaterally the testing of all types of atomic and hydrogen weapons in the Soviet Union. Desiring to expedite the reaching of an agreement on a universal cessation of such tests, the Soviet Government met the desires of the governments of the USA and the United Kingdom to designate experts to study the methods of detecting possible violations of an agreement on the cessation of nuclear tests.

We hope that this new step of the Soviet Union will be duly appraised by the Western Powers and that, as a result, a more favorable atmosphere will be created which would promote the convening of a Summit Conference at the earliest possible date.

Mr. President, I believe that the time has come to clarify thoroughly and with complete sincerity the positions of the parties with regard to the main question: Do all the parties really wish a Summit Conference to be convened? I must say that the documents transmitted to us by the Western Powers have evoked serious doubts on our part in this connection. It is difficult to escape the thought that the authors of the proposals set forth in these documents were guided not by the desire to find a solution that would be the most acceptable to all parties but rather were searching for questions for the solution of which the time is not yet ripe, so as to be able to say later that they were right in predicting the failure of a conference of heads of government.

It was all of this that compelled us to address you with this letter. We should like to know definitely whether the governments of the Western Powers have serious intentions with regard to organizing a Summit Conference and conducting negotiations the results of which are awaited literally by all mankind, or whether there is a desire to lull the attention of the peoples, to create an impression that contracts have been established and negotiations are being conducted, and to raise in reality questions which not only lead to a failure of preparations for the meeting but also to no Summit Conference as such taking place, so as to accuse our country later of "obstinance." Such a tactic is very well known to us from the experience of certain previous negotiations.

The Soviet Government has most closely examined the views concerning the possible agenda of a Summit Conference as set forth in your messages, Mr. President. We have expressed our opinion in detail on these proposals and have stated that a number of questions among those proposed by the Western Powers are regarded by us as acceptable for discussion.

We are also prepared to consider the question of methods of strengthening the United Nations, which has been touched upon in the correspondence between our two governments, because we also have something to say in this connection.

Mr. President, I have presented to you with complete sincerity my views with regard to the present situation concerning the preparations for a conference at the summit. In this situation the responsibility that is devolving upon the governments of the Great Powers is particularly great. In order to understand the whole depth of this responsibility it suffices to imagine how distressed all the peoples would be if we should fail to find a common language. No one would be able to understand and justify such government officials as can not agree even on how to begin negotiations among themselves while the world is seized with the fever of an ever-intensifying armaments race and at a time when there is no corner left where human beings are free from the oppressive fear of the threat of a new military eruption.

We are convinced that through joint efforts of states, and primarily through joint efforts of the United States of America and the Soviet Union, it is entirely possible to achieve a radical improvement in the international situation. An important step in this direction could be a meeting of top government officials with the participation of heads of government. We express the hope that the Government of the United States of America will consider this message with due attention and will on its part take all the necessary steps in order not to allow frustration of a high-level conference and to clear from the path of such a conference the obstacles that are being artificially created.

Simultaneously I am sending messages on this question to the Prime Minister of the United Kingdom and to the President of the Council of Ministers of France.

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*Letter from President Eisenhower to Premier Khrushchev,  
Regarding the Question of a Summit Meeting, July 2, 1958<sup>1</sup>*

I was frankly surprised by your letter of June 11. You complain about delay in preparations for a Summit meeting precisely at the moment when the Western powers have submitted a proposal for a serious and effective procedure for conducting these preparations. This refutes the allegation contained in your letter that the three Western powers are creating obstacles and impeding progress toward a Summit meeting.

The position of the Western powers concerning holding of a meeting of Heads of Government has been clear from the outset. They consider such a meeting desirable if it would provide an opportunity for conducting serious discussions of major problems and would be an effective means of reaching agreement on significant subjects. From

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<sup>1</sup> White House news release, July 2, 1958.

the known positions of the Soviet Government, there is no evidence so far that such is the case. That is why the Western powers insist on adequate preparatory work and why they have put forward their proposal to facilitate satisfactory completion of this work.

The Soviet Government instead has disrupted the discussions in Moscow by taking upon itself to publish with bare hours of warning and no attempt at consultation the documents exchanged between it and the Western powers, including diplomatic documents originating from the Western powers. This action is scarcely consonant with the spirit of serious preparation in which the Western powers entered into these diplomatic exchanges. It cannot but cast doubt on the intentions of the Soviet Government concerning the proper preparations for a Summit meeting.

Following receipt of the Soviet agenda proposals on May 5 the three Ambassadors in interviews on May 28, 31 and June 2 presented in return the Western agenda proposals. They also outlined to Mr. Gromyko a suggested procedure for overcoming the difficulty caused by the fact that the two sets of proposals were widely divergent. The Western Ambassadors are quite ready to offer comments on the Soviet agenda proposals and to clarify certain points in their own proposals on which the Soviet Government seems to have misconceptions. But the Western Governments cannot agree that the discussions between their Ambassadors and Mr. Gromyko should be based exclusively on the Soviet list any more than they would expect the Soviet Government to agree to base the discussions solely on the Western list. Since the topics in both lists fall under certain general headings, the Western proposal was that preparatory discussion of the individual topics put forward by the two sides should take place within the framework of these general headings. Had this been accepted by the Soviet Government, the Soviet Foreign Minister and the Ambassadors could have proceeded to examine the positions of the various governments on the topics in both lists and establish what subjects should be submitted for examination by the Heads of Government. Neither side would, during the preparatory stage, have been able to veto the inclusion of any topic for discussion and an opportunity would have been afforded to find some common ground, for later consideration by Heads of Government.

Mr. Gromyko promised an official reply to the above proposal. Instead, however, the Soviet Government has now addressed communications to the Heads of Government of the three Western powers, in the form of your letters of June 11, which repeat the arguments in favor of the Soviet set of proposals of May 5 and criticize some of the Western proposals which it happens not to like. The procedural proposal put forward by the Ambassadors has been ignored altogether.

You allege in your letters that the Western powers by including, as possible subjects of discussion at a meeting of Heads of Government, some of the great political issues that create grave tension are trying to prevent the holding of a Summit meeting. There is no warrant for this allegation. A meeting of Heads of Government would not respond to the hopes and aspirations of mankind if they met under an injunction that seals their lips so that they could not even

mention the great political issues that gravely trouble their relations and endanger world peace.

In spite of the arbitrary action of the Soviet Government and its apparent unwillingness to negotiate seriously on concrete points at issue, the Western powers do not propose to abandon hope or to relax their efforts to seek solutions of the major outstanding problems. If the Soviet Government is equally serious in pursuing this goal, it will accept the procedural proposal put forward by the Western powers or advance some equally effective and workable alternative.

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*Note from the Soviet Deputy Foreign Minister (Kuznetsov) to the American Ambassador (Thompson), on European Security, July 15, 1958<sup>1</sup>*

[Unofficial translation]

The Soviet Government considers it necessary to address itself to the Government of the United States of America on the following question.

The Government of the USSR considers that the situation unfolding on the European Continent obligates the governments of all interested states to undertake efforts for working out joint measures which would halt the sliding of Europe toward war and to find roads toward the strengthening of peace on the basis of the growth of mutual trust and the broadening of multilateral cooperation between European states.

Both World Wars experienced by mankind were brought down first of all on the head of the European nations. No one can deny that as a result of these wars the greatest human sacrifices and material losses were borne by these very countries of Europe. Tens of millions of Europeans were killed on the field of battle, perished through the bombing of peaceful cities, died from wounds and diseases, were tortured in Fascist concentration camps. In the course of military operations, many once well-built and flourishing cities and villages were obliterated from the face of the earth, irreplaceable monuments of culture were destroyed. At the cost for every country of those who will not return, for every family of the losses and incredible physical and moral strain, the peoples of Europe merit the right to worthwhile existence without fear of tomorrow, for themselves and for the fate of future generations.

Today, the peoples of the European countries are again compelled to live under the conditions of feverish military preparations, under the threat of still a more terrible military catastrophe. The principle of impartial cooperation in international affairs, about which not little was said in the period of struggle with the common enemy is far from respected by all.

It is impossible not to see that such measures as the continuous whipping up of the armament race, especially atomic and hydrogen, the growth of armies and military expenditures, the establishment of nuclear and missile bases on foreign territories, the transfer of this

<sup>1</sup> Department of State Bulletin, September 22, 1958, pp. 482-485. The Soviet draft treaty on friendship and collaboration (*intra*) was enclosed with this note. The United States replied on August 22, 1958 (*intra*).

armament into hands of new states, first of all to the Federal Republic of Germany, means in reality nothing other than preparation of war. This aim is served and conducted in some countries by propaganda which permeates with a lack of faith in the possibility for preserving peace, nourishes feelings of enmity, estrangement and downright hostility toward states and peoples which are located beyond their military groupings, have chosen different political and social systems and are building their own life in accordance with their ideals. Creation of opposing military groupings of states has given birth on the European Continent to deep distrust and dangerous situation of tension.

It becomes more apparent every year that a war in Europe, if it unhappily should break out, and if at the same time special prohibitive or, at least, delimiting measures are not taken, will be a war using nuclear and ballistic means of annihilation. Despite the unilateral halting of tests of all types of atomic and hydrogen weapons by the Soviet Union, the USA and England continue to conduct such tests, to reject the conclusion of an agreement concerning renunciation of their use and, at the same time, they draw their allies in the North Atlantic Pact more and more into preparations for a ballistic missile-atomic war.

The assertion that supposedly by creating and accumulating the most deadly and destructive means of annihilation, mankind protects itself from the danger of a war utilizing these means appears as a challenge to good sense. The more atomic and hydrogen bombs in the arsenals of states, the wider the circle of states having nuclear and rocket weapons, the closer to each other the armed forces and bases of these powers, the more likely is the occurrence of a military explosion. To retain such a situation is just like holding a blow torch in a gun-powder magazine.

It is not difficult to imagine what would take place if the country-participants of the Warsaw Pact, instead of the measures which they take for the purpose of reducing tensions in Europe, began to operate in the same direction as the countries of NATO. It is understandable that the danger of a military explosion would increase one hundred-fold if they, in accordance with the example of NATO, in their turn began to impose an armaments race on other states, to move their military bases on foreign territories closer to the vital centers of the states participants in the opposite military grouping, to send into the airspace of Europe to meet the American airplanes, which are continuously in the air and armed with atomic and hydrogen bombs, their own such military airplanes.

Being the largest state in Europe which twice in the course of one generation was subjected to invasion over its western borders, the Soviet Union, naturally, cannot but show unremitting concern over security in Europe which is inseparable from its own security. Millions of Soviet people did not give their lives on the field of battle during the Second World War in order that now the Soviet people could indifferently observe how in Europe inflammable material for a new war was being accumulated.

Like the other peace loving states, the Soviet Union did and continues to do everything depending upon it to remove the danger of war and to establish peaceful cooperation based on trust among all the

European states regardless of their social structure and membership in one or the other grouping of Powers.

The Soviet Union liquidated its military bases located in the territory of other states. Beyond the confines of its own borders the Soviet Union does not maintain stockpiles of atomic and hydrogen arms or missile launching sites. In the last three years the strength of the Soviet armed forces has been reduced unilaterally by a total of two million one hundred forty thousand persons. In this regard the armed forces of the USSR in the German Democratic Republic were reduced by more than ninety thousand persons. Military expenditures and armaments were correspondingly reduced. At the last session of the Supreme Soviet of the USSR a resolution was approved for the unilateral cessation by the Soviet Union of tests of all types of atomic and hydrogen arms.

At the meeting of the Political Consultative Committees of the states participating in the Warsaw Treaty, which took place at the end of May in Moscow, a decision was made concerning the withdrawal at a very early date from the Rumanian Peoples Republic of the Soviet armies which were there in conformity with that treaty and also concerning an additional reduction of the Soviet armies stationed in the territory of the Hungarian Peoples Republic.

Desiring to weaken the split appearing between the two basic groupings of powers in Europe which are in military conflict and to exclude the danger of the growing contradictions between them, the participants in the meeting proposed the conclusion of a pact of non-aggression between the member-states of the Warsaw Treaty and the member-states of the North Atlantic Alliance. The Soviet Government is convinced that the conclusion of such a pact of non aggression would be a reliable preventive measure, strengthening the peace in Europe.

In spite of the tremendous positive role of such a pact of non-aggression, it is impossible, however, not to take into consideration that this measure represents only an initial step, the minimum, that it is necessary to undertake under present conditions for the purpose of establishing in Europe an atmosphere of due trust among states. It would be an unforgivable omission if, along with this, no effort was made to establish additional transitional steps from the present dangerous situation toward the establishment of the conditions of a firm peace in Europe.

The Soviet Government proceeds from the assumption that peace and security in Europe cannot be secured without the uniting of the efforts of all European states and the establishment among them of wide, all-inclusive cooperation. The experience at hand in regulating important international questions testifies that with good will on all sides possibilities and reserves can always be found for mutually acceptable decisions in aid of peace. Thus, in the first postwar years peace treaties were concluded with Bulgaria, Rumania, Hungary, Italy, and Finland, which to a significant degree contributed to the normalization of the position in Europe. Even more convincing testimony of this is the signature by the states in 1955, even under condition of "cold war" and sharpened mistrust, of the Austrian state treaty, which reestablished the political and economic independence of Austria, as a neutral state.

The Government of the USSR, of course, knows that the governments of many Western European states, and also the USA, retain points of view different from its own on the reasons which have led to the present tension in Europe, just as in regard to the suitable measures for lessening this tension in the relations among European states.

Nevertheless, despite this, it is indisputable that the situation in Europe demands that the governments of the European countries rise above the present disagreements. Polemics not reinforced with real constructive steps, can of themselves neither stop the falling bombs nor lessen the force of their explosions. It cannot be allowed that disagreements disturb the sober contemplation of the facts which today fill Europeans with the feeling of deep alarm, and hide the most important thing—the necessity of earnestly and patiently seeking an agreement on concrete steps leading to the establishment of lasting peace in Europe.

As is well known, in the period between the two world wars the plans of guaranteeing security in Europe and the organization of general European cooperation suffered ruin above all because agreement was not achieved among the leading states which had the most powerful armed forces and whose united efforts would have made aggression impossible. In the opinion of the Soviet Government, it is necessary to study that period of history and not to repeat the serious errors of the past.

It is no longer necessary now to prove that the attempts to substitute for the solution of the tasks facing Europe as a whole the practice of founding on a narrow, closed basis different unions of individual European states, like the coal and steel community, the common market, EURATOM, and so on, lead only to a situation in which these states more and more are opposed to the other states of Europe, digging ever deeper the ditch dividing today the Western part of Europe from the Eastern.

The idea of cooperation of all European states, their drawing together in the interests of preserving the peace, of securing the well-being and flourishing of Europe, has deep roots in history and in the present life of European peoples. In the East as well as in the West of our continent, the striving for the development of mutual understanding and all round intercourse among European states is becoming stronger. The fact in particular that at the XII Session of the UN all European states and the USA voted for the resolution on peaceful and good neighborly relations among states testifies in particular to this.

The Soviet Government considers that the governments of European states, and the Government of the United States, if they all wish to stop the dangerous development of events in Europe, should make efforts toward working out on a regional basis general European decisions, which in practice could be brought into existence at the present stage and which could be acceptable for all governments. In this connection it is introducing a proposal on concluding a treaty of friendship and cooperation by the European states and also by the United States.

In the view of the Soviet Government, in such a treaty it would be advisable to include provisions directed toward warning and warding

off aggression in Europe and toward strengthening the security of all European countries. In this it would be important to express the obligation of the European states and also the USA not to assist militarily or economically or to support morally any state disturbing the peace of Europe, regardless of whether they are or are not partners of the aggressor state under existing military pacts and treaties. It is known that the idea of such an agreement has been expressed many times in recent years including by the Governments of the USA, England, and France.

Taking into account the fact that the achievement of an agreement on disarmament is attended by significant difficulties and that the efforts made over many years in that direction have led to no progress whatever, the Soviet Government proposes to consider in the treaty measures which would make possible the elimination of the arms race and the execution in Europe of measures for curtailing the armies of the organizations of the Warsaw Pact and the North Atlantic Alliance. The initiative on the part of the European states in searching for such partial solutions could open the perspective also for broader agreements connected with the problem of disarmament.

Of major significance for preventing armed conflicts in Europe would be the foundation in direct continuity with the line dividing the military groupings existing in Europe of a zone in which neither the production nor the stationing of atomic, hydrogen, and rocket weapons would be allowed. In this case the parties to the treaty would take on the obligation to respect the status of the said zone and consider the territory of the states entering into it as excluded from the sphere of employment of the said type of arms.

In the treaty it would be desirable also to consider providing for the beginning of the reduction in the next one or two years of the number of foreign armed forces on the territory of Germany to  $\frac{1}{3}$  or to a limit otherwise agreed on. With the carrying out of such a reduction it would be possible to agree on the establishment of a reliable system of control and inspection of the execution of this obligation by the parties to the appropriate treaty.

The Soviet Government expresses itself in favor of the execution of aerial photography in the limits of a definite zone located on both sides of the line dividing the armed forces of the states party to the Warsaw Treaty and the North Atlantic Alliance to prevent surprise attack.

The development of the economy of the states-party to the treaty, the adjusting of peaceful business intercourse and mutual understanding among them undoubtedly would be facilitated by the expansion of mutually profitable and equitable economic cooperation on a basis excluding any discrimination or artificial limitations of any kind. Inclusion in the treaty of the above provisions would be all the more useful in that the encouragement of free world trade would render good service to a number of states in whose economy especially in recent times unhealthy phenomena are making themselves felt.

The Soviet Government is a supporter of the development of the cooperation of European states and also of the USA for the solution of the great task of peaceful uses of atomic energy. It considers it desirable to express in the treaty the readiness of its participants to exchange experience of scientific research and industrial application

of atomic energy, as well as raw material, materials and equipment. The joining of the efforts of the participants of the treaty in this field would assist in raising the well-being of people, the further development of science and culture and would ever more push ahead the frontiers of knowledge of the laws of nature and their utilization for the good of man.

In the opinion of the Soviet Government, the participants of the treaty would be able to put on a more solid foundation the development of ties and contacts with each other, especially along the lines of science, technology and culture with the aim of mutual familiarization with the national accomplishments of the peoples.

The treaty would also envisage other measures, the realization of which would facilitate lessening of the threat of an outbreak of war in Europe. The Soviet Government is guided by the conviction that the proposed measures in the aggregate will lead to the transformation of Europe into a zone of lasting peace and real security.

Taking into account the considerations outlined above, the Soviet Government is introducing for the examination of the Government of the United States of America and also of the governments of European states a draft "Treaty of Friendship and Cooperation of European States" and expresses the hope that the government of the United States will regard this proposal favorably.

*Soviet Draft Treaty on Friendship and Collaboration, July 15,  
1958<sup>1</sup>*

*The Signatories*

Resolved to promote in every way the development of friendly relations and cooperation between European states and to resolve all questions arising between them exclusively by peaceful means: recognizing that the creation of an atmosphere of trust between them is the most important task of the peoples of the European states, of excluding the possibility of the outbreak of a new war on the European continent;

Animated by a desire to carry out the high principles of the UN and in development of the situation in keeping with the resolution concerning peaceful and good neighborly relations between states, approved by the XII Session of the General Assembly of the UN.

They have decided to conclude the present treaty on Friendship and Collaboration of the European states and to these ends have agreed as follows:

**ARTICLE 1**

The signatories of the treaty may be all European states and the United States of America which recognize the aims and accept for themselves the obligations set forth in the present treaty.

**ARTICLE 2**

The signatories will, in the spirit of genuine cooperation and mutual understanding, develop and strengthen good neighborly and friendly

<sup>1</sup> Department of State Bulletin, September 22, 1958, pp. 465-466. The draft treaty was enclosed with the Soviet note of July 15, 1958. (*supra*).

relations among their peoples on the basis of the principles of mutual respect for territorial integrity and sovereignty, non-aggression, non-interference in each other's internal affairs, equality, and mutual advantage.

#### ARTICLE 3

The signatories obligate themselves to solve all disputes which may arise among them exclusively by peaceful means and in accordance with the principles of the United Nations Charter.

In case a situation arises which could lead to a deterioration of the friendly relations between states or create a threat to the peace in Europe, the signatories will consult at once with one another for the purpose of taking such necessary mutual measures as are found appropriate for the elimination of the situation which has arisen.

#### ARTICLE 4

If one or more of the signatories is subjected to an attack on the part of any state, the other signatories to this treaty obligate themselves not to provide military and economic aid or moral support to the aggressor regardless of whether or not they are bound as allies or by some other commitments with the aggressor state.

#### ARTICLE 5

Until the conclusion of a general agreement on the limitations of arms and of armed forces and the banning of atomic weapons the signatories are obligated:

a) To reduce in the course of 1 to 2 years their armed forces and arms located in the territory of Germany by  $\frac{1}{3}$  or by another agreed amount, whereby the reduced contingents of armed forces must be withdrawn from the territory of Germany to within the confines of their own national borders.

After the aforesaid reduction of armed forces and armaments, to consider the question of the further reduction of foreign armed forces which are stationed on the territory of Germany and also the reduction of foreign armed forces located on the territory of other European states with the removal in both cases of the reduced contingents of the armed forces to the confines of their own national borders.

Regularly, and not less than twice yearly, to exchange information on the strength of armed forces and the quantity of armament of the signatories located on the territory of other states in Europe.

b) For the prevention of a possible surprise attack to provide for the conducting of aerial photography within a zone extending for 800 kilometers from the line demarcating the armed forces of the member-countries of the North Atlantic Treaty and the participating states of the Warsaw Treaty. Such a zone will be established by agreement with the states whose territories are included in this zone.

The representatives of the signatories in the course of not more than 6 months after the signing of the present treaty will define the boundaries of the zones specified in paragraph (b) and will also establish an

appropriate system of control and inspection for the fulfillment of the obligations specified in the present Article

#### ARTICLE 6

The signatories unanimously favor the creation of a zone in Central Europe, free from the production and presence of atomic, hydrogen, and missile weapons, as well as from the equipping and manning of the above mentioned types of arms. This zone ought to comprise with the agreement of the appropriate governments the territory of the German Democratic Republic, the Federal Republic of Germany, the Polish Peoples' Republic, and the Czechoslovak Republic.

The signatories are obligated to respect the status of this zone and [*not/*] consider the territory of the governments which comprise it as a sphere for the use of atomic, hydrogen, and missile weapons. They recognize as indispensable the establishment of an appropriate system of control and inspection for fulfillment of agreement concerning the creation of such a zone

#### ARTICLE 7

Proceeding on the belief, that economic cooperation and contacts between states are the natural and stable foundation for the strengthening of peaceful and friendly relations between them, the signatories are obligated:

(a) To develop economic cooperation and an exchange of experience; to extend the necessary cooperation to one another in the matter of solving the most urgent economic problems facing the most important significance for insuring the full employment of the population and the improvement of their well being;

To develop in every possible way cooperation in the field of trade between the countries participating in the agreement on the principles of full equality and mutual benefit.

b) To take measures toward the gradual elimination of the obstacles and limitations still existing in the field of the development of economic relations between states on the basis of bilateral and multilateral agreements, as well as within the framework and by means of the European economic commission of the UN;

c) To develop cooperation in the field of utilization of atomic energy for peaceful purposes, including exchange of experience in the construction of atomic energy, and the exchange of specialists, raw and other materials, and equipment.

#### ARTICLE 8

For the purpose of broadening international ties and cooperation in the field of science and culture, furthering mutual understanding between peoples, the signatories are obligated to develop and strengthen mutual ties in the field of science, culture, technology, and education. To these ends they express readiness to discuss in the near future concrete questions of cultural and scientific cooperation, having in view the conclusion of a bilateral or multilateral agreement on these questions.

## ARTICLE 9

The present treaty is valid for a period of 10 years.

The treaty is subject to ratification in conformity with the legislative powers of the signatory states of the treaty.

## ARTICLE 10

The treaty is open for the adherence of all European states.

## ARTICLE 11

The present treaty, the Russian, English, French and German texts of which are authentic, will be submitted to the custody of the Secretary General of the UN.

In witness thereof, the plenipotentiaries have signed the present treaty and have affixed their seals thereto.

DRAWN UP IN THE CITY ----- 1958.

*Note from the American Embassy to the Soviet Foreign Ministry,  
Regarding European Security, August 22, 1958<sup>1</sup>*

The United States Government has examined the Soviet Government's note of July 15 and the draft Treaty attached to it. It does not propose at present to comment on the substance of either. This is not because it agrees with what is said or with the premise on which the Soviet Government bases its arguments. The reason is simply that the United States Government notes that the proposals embodied in the draft Treaty are largely a reflection of proposals already included in the Soviet Memorandum of May 5 about an agenda for a meeting of Heads of Government, although surprisingly no mention is made of such meeting in the Soviet note of July 15. The Western powers have made their own suggestions for topics to be examined by Heads of Government. They are prepared to express their views about the Soviet proposals and to receive Soviet views about their own. For this purpose, the Western powers suggested, as long ago as May 31, a practical procedure for discussing the agenda which would be fair to both parties. They still await a reply to this and also to their letter of July 1. In the meantime, to their regret, the preparatory discussions in Moscow are at a standstill. The United States Government believes that the first thing to be done, before the proposals of either party are discussed, is to resolve this question.

<sup>1</sup> Department of State press release 490, August 23, 1958. The British and French Embassies delivered identical notes.

*Aide-Mémoire from the Foreign Ministry of the German Federal Republic to the American Embassy, Proposing International Negotiations on German Reunification, September 9, 1958<sup>1</sup>*

The German Federal Parliament (Bundestag) at its meeting July 2, 1958, unanimously passed the following resolution, which was endorsed by the German Federal Council (Bundesrat) at its meeting July 18, 1958:

In order to promote the reestablishment of German unity, the Federal Government is herewith directed to request the four powers, France, the Union of Socialist Soviet Republics, the United Kingdom, and the United States, to set up, either at a future international conference (summit conference) or independently thereof, a four-power group (at least at the level of an ambassadors' conference) with a mandate to prepare joint proposals for the solution of the German problem.

The Federal Government shares the desire expressed in the Bundestag resolution, that a group of the four powers responsible for the solution of the German problem be set up either at a future international conference (summit conference) or independently thereof. It hopes that this group will study proposals concerning the reestablishment of German unity, and carry out the preparatory work necessary for final negotiations to be held at a later date.

In compliance with the mandate given to it by the Bundestag and the Bundesrat, and in view of the talks in preparation for an international conference which have been taking place in Moscow between representatives of the four powers responsible for the reunification of Germany, the Federal Government begs to direct the attention of the Government of the United States of America to the desire expressed in the above resolution

*Note from the Soviet Foreign Ministry to the American Embassy, Proposing German Peace Negotiations, September 18, 1958<sup>2</sup>*

[Unofficial translation]

The Government of the Union of Soviet Socialist Republics presents its compliments to the Government of the United States of America and considers it necessary to transmit the following for its information.

On 5 September of this year the Soviet Government received the note of the Government of the German Democratic Republic in which disquiet is expressed in connection with the impermissibly delayed preparation of a peace treaty with Germany. In the note a proposal is advanced about the urgent creation of a commission of representatives of the four great powers whose tasks would be the carrying out of consultations about the preparation of a peace treaty with Germany. As the Government of the G.D.R. communicated,

<sup>1</sup> Department of State Bulletin, October 20, 1958. Identical aide-mémoire were delivered on September 9, 1958 to the British French and Soviet Embassies at Bonn. The United States replied on September 30, 1958 (*infra*).

<sup>2</sup> Department of State Bulletin, October 20, 1958, pp. 816-817. Identical notes were delivered on September 18, 1958 to the British and French Embassies. The United States replied on September 30 (*infra*).

notes to the same effect were addressed also to the Governments of the United States of America, Great Britain and the French Republic. Moreover, the G D R Government made it known that it simultaneously proposed to the Government of the F R G to create a commission of representatives of both German states which would examine from a German point of view all questions connected with the preparation of a peace treaty with Germany. According to the proposal of the G D R Government, this commission will occupy itself also with questions relevant to the competence of the two German states, connected with the creation of a united peace loving democratic Germany.

Taking into account that the question about preparing a peace treaty is that part of the German problem for the decision of which all states which participated in the war, and in the first place the four great powers, bear responsibility, the Soviet Government would like to express to the Government of the U S A its considerations regarding the proposals advanced by the Government of the G D R, so that in the nearest future it might be possible to undertake joint steps in the interest of a peaceful settlement with Germany. The statement of the G D R Government points out how acutely the German people feel about that abnormal situation which already in the course of 18 years has been preserved in Germany as result of the absence of a peace treaty with this country. It is a new reminder of the great powers on whom lies the main responsibility for a peaceful settlement with Germany about the need at least to fulfill their duty before the German people. The proposal of the G D R Government about the creation of a commission of representatives of the four powers and also of a corresponding German commission for the preparation of a peace treaty with Germany takes into account the concrete conditions which have arisen up to the present and opens the way for a practical solution of this long since matured problem.

The Soviet Government being an advocate of the basic solution of the German question has repeatedly come out in the past with proposals, directed toward an urgent conclusion of a peace treaty with Germany, which unfortunately have not at that time met support on the part of the Western powers. Recently it once more advanced this question in connection with the preparation for the convocation of a summit meeting considering it necessary to examine this as one of the important problems of the agenda of such a meeting.

The indisputable fact is evident to all that the absence of a peace treaty with Germany leaves open many questions which profoundly disturb the whole German people and affect important interests of the other European peoples who took part in the war with Germany, including the interests of their security. No one has the right in the course of such a long time to deprive the German people of a possibility of enjoying all the benefits of a peaceful situation, all the more since the solution of analogous questions in connection with all the countries drawn into the war on the side of Hitlerite Germany has long since been a passed stage.

The conclusion of a peace treaty with Germany would finally draw a line under the past war and its heavy consequences for the European peoples and would undoubtedly have important significance for reducing tension and guaranteeing security in Europe. At the same

time it would permit the guarding from any outside interference the internal development of Germany and the restoring in full measure of its sovereignty and independence. Germany would be placed in all relations in a position of equality with other states and would receive access to the U.N. The working out of the draft of a peace treaty, which would define the political and economic conditions of the development of Germany and its military status, is dictated also by a real need to give the German people clear perspectives for the development of Germany in the future.

In supporting the initiative of the Government of the German Democratic Republic, the Soviet Government has also in mind that the preparatory work's concluding a peace treaty with the participation of the Governments of both German states would facilitate a rapprochement between them and the unification of their efforts for the purpose of restoring the state unity of Germany.

The Soviet Government hereby informs the Government of the U.S.A. that it has notified the G.D.R. Government about its agreement with its proposal to create a commission of representatives of the four powers with the aim of carrying out consultations about preparing a peace treaty with Germany.

It also supports the idea of the creation of a commission of representatives of both German states and declares its readiness to render any aid for the activity of such a commission. The Soviet Government expects that the Government of the United States of America, in accordance with the obligations lying on it in connection with the peaceful settlement with Germany, also will support the said proposals of the Government of the G.D.R. and will adopt the necessary steps for their realization. The Soviet Government would be grateful to the Government of the U.S.A. for the receipt in a short time of its considerations on the question touched upon.

Notes of identical content have been addressed by the Soviet Government also to the Governments of Great Britain and France.

*Aide-Mémoire from the American Embassy to the Foreign Ministry of the German Federal Republic, Regarding German Reunification, September 30, 1958<sup>1</sup>*

The Embassy of the U.S.A. has been instructed to inform the Federal Ministry of Foreign Affairs as follows:

The Government of the United States refers to the Aide Memoire of the Federal Government of September 9, 1958, which draws attention to a resolution passed by the German Federal Parliament and endorsed by the German Federal Council. This resolution calls for the establishment of a Four-Power group composed of representatives of the powers responsible for solution of the German problem with a mandate to prepare joint proposals for the solution of the German problem. It also suggests that the group envisaged would be set up either at a future international conference of Heads of Government or independently thereof.

<sup>1</sup> Department of State press release 572, September 30, 1958. The British and French Embassies delivered identical notes on the same day.

The Government of the United States notes that the Government of the Federal Republic shares the desire expressed in the resolution of the German Legislature and that it hopes that this group will study proposals concerning the re-establishment of German unity and carry out the preparatory work necessary for final negotiations to be held at a later date.

The Government of the United States welcomes the initiative of the Federal Government. As the latter is aware, the German problem is an important element in the proposals put forward by the Western Powers to the Soviet Government on May 28 for an agenda for a meeting of Heads of Government. The preparatory talks in Moscow for such a meeting, mentioned in the Federal Republic's Aide Memoire, have been in suspense since the end of May because of the Soviet Government's failure to reply to the Western proposal of May 31 for overcoming the procedural difficulty caused by the divergence in the Soviet and Western sets of agenda proposals. Additional efforts to obtain a response, made by the Western Powers on July 1 and August 22, have also so far been to no avail.

The Western Powers continue to hold that a summit meeting would be desirable if it would provide opportunity for serious discussions of major problems and if it would be an effective means of reaching agreement on significant subjects. The Government of the United States hopes that the Soviet Government will now reply to the Western proposal so that the preparatory talks which would cover the important question of Germany, may continue. At the same time, in view of the crucial importance of the settlement of the German problem to the relaxation of world tensions, the Government of the United States is also prepared to discuss the German problem in a separate Four Power group to be set up in accordance with the desire of the Federal Government expressed in its Aide Memoire of September 9.

The Government of the United States has constantly sought to bring about the creation of a freely elected all German Government which would be truly representative of the German people and which would conclude a peace treaty. Until such a Government is created the continued division of Germany maintains a situation in which a segment of the German people is forced to suffer the oppression of a regime imposed on it from without.

For a long time, efforts to resolve German questions have been thwarted by the refusal of the Soviet Government to agree to any plan which would make reunification possible in a way which would insure the freedom of the whole German people. Once a freely-elected all German Government truly representative of the German people has been created, it would be possible to proceed with such a Government to the conclusion of a peace treaty. The Government of the United States is informing the Soviet Government of its support of the initiative of the Federal Republic and urging the Soviet Government to give it favorable consideration.

*Note from the American Embassy to the Soviet Foreign Ministry,  
Regarding German Reunification, September 30, 1958.<sup>1</sup>*

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and on instruction of its Government has the honor to state the following:

The United States Government wishes to refer to the Soviet Government's note of September 18. It regrets that the Soviet note ignores the proposals made by the Government of the Federal Republic of Germany, which were contained in an Aide Memoire of September 9 addressed to the Governments of France, the Soviet Union, the United Kingdom and the United States. These proposals, based on an unanimous resolution of the German Federal Parliament which was endorsed by the German Federal Council, also called for the establishment of a Four-Power group to discuss the German problem. The United States Government observes that instead, the Soviet note is based on proposals made by the so-called "Government of the German Democratic Republic".

The United States Government fully shares the view expressed in the Soviet Government's note that "no one has the right to deprive the German people for such a long time of the opportunity to enjoy all the advantages of a state of peace".

It also notes with satisfaction the statement that the Soviet Government is "in favor of a fundamental settlement of the German question". It is well known to the Soviet Government that this has long been the aim of the United States Government. It is sufficient to recall the opening words of the Berlin Declaration which was made by the Governments of France, the Federal Republic of Germany, the United Kingdom and the United States on July 20, 1957:

"Twelve years have elapsed since the end of the war in Europe. The hopes of the peoples of the world for the establishment of a basis for a just and lasting peace have nevertheless not been fulfilled. One of the basic reasons for the failure to reach a settlement is the continued division of Germany, which is a grave injustice to the German people and a major source of international tension in Europe."

The United States Government agrees that, as stated in the Soviet note, "the conclusion of a peace treaty with Germany would finally draw the line below the last war", and that the German people should themselves participate in the preparation of such a treaty. An essential prerequisite for the negotiation of a peace treaty is, however, the creation of a Government which truly reflects the will of the German people. Only a Government created on such a basis could undertake obligations which would inspire confidence on the part of other countries and which would be considered just and binding by the people of Germany themselves. Moreover, German representatives at any discussions about a peace treaty which were held in advance of the reunification of Germany would, as the Soviet Government must be aware, have no power to commit a future all German Government to any of the conclusions reached. For these reasons, the United States Government considers that the first task in any dis-

<sup>1</sup> Department of State press release 872, September 30, 1958. The British and French Embassies delivered identical notes on the same day.

cussion of the German problem must be the reunification of Germany and the formation of an all-German Government by means of free elections.

On the method by which such Government should be formed, the United States Government finds the proposals in the Soviet Government's note both unrealistic and unsatisfactory. According to those proposals, the question of the reunification of Germany is to be left to a commission composed of representatives of the Federal Republic and the Soviet Zone. The regime established in the Soviet Zone of Germany does not represent the will of the people of Eastern Germany. It is rightly regarded by the people of all parts of Germany as a regime imposed by a foreign power and maintained in power by foreign forces. Since this regime has no mandate from the people it purports to speak for, it would violate any genuine concern for the interests of the German people to allow such a regime to participate in any discussions involving their future Government.

In the Directive issued by the Four Heads of Government at Geneva in 1955, the Soviet Government recognized its responsibility for the reunification of Germany. The Directive provides *inter alia*: "The Heads of Government, recognizing their common responsibility for the settlement of the German question and the reunification of Germany, have agreed that the settlement of the German question and the reunification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security". The United States Government cannot accept that the Soviet Government has the right unilaterally to evade this responsibility or this agreement. In accordance with its similar responsibility the United States Government, in conjunction with the Governments of France and the United Kingdom, has on many occasions put forward proposals designed to achieve the restoration of German unity. These Western proposals recognize the right of the German people to determine their own way of life in freedom, to determine for themselves their own political, economic and social system, and to provide for their security with due regard to the legitimate interests of other nations. They provide for the exercise of this right through the holding of free elections throughout Germany, the establishment of an all-German Government, and the negotiation with this Government of the terms of a peace treaty.

The Government of the United States is ready at any time to enter into discussions with the Soviet Government on the basis of these proposals, or of any other proposals genuinely designed to insure the reunification of Germany in freedom, in any appropriate forum. It regards the solution of the German problem as essential if a lasting settlement in Europe is to be achieved. This problem has been included as one of the subjects which the Western Powers put forward on May 28 for examination at a conference of Heads of Government. Although the Soviet Government agreed that preparations for such a conference should be made between representatives of the Four Powers in Moscow, these preparations have been in suspense since the end of May because of the Soviet Government's failure to reply to the Western proposals of May 31 for overcoming the procedural difficulty caused by the divergence in the Soviet and Western

sets of agenda proposals. The further Western communications of July 1 and August 22 have so far also remained unanswered. Since the Soviet Government has indicated in its note that it, too, attaches importance to the solution of the German problem, the United States Government hopes that the Soviet Government will now reply to the Western proposal so that the preparatory talks may continue.

In the interests of making progress on this subject, the Government of the United States is, however, prepared to discuss the German problem in a separate Four Power group to be set up in accordance with the desire of the Federal Government expressed in its Aide Memoire of September 9. The purpose of the group would be to discuss proposals connected with the German problem and to carry out the preparatory work necessary for final negotiations to be held at a later date either at a conference of Heads of Government, if one can be arranged, or otherwise.

The Government of the United States hopes that, in view of the importance of settling the German problem, not only for the German people but also as a contribution towards the relaxation of tension in Europe, the Soviet Government will agree to the procedure set out above.

A copy of the United States Government's reply to the Federal Government's Aide Memoire of September 9 is attached. The United States Government is also informing the Federal Government of the terms of this note.

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*Remarks at News Conference by Secretary of State Dulles, on German Reunification and Berlin, November 7, 1958<sup>1</sup>*

[Extracts]

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Q. Mr. Secretary, in recent days you have been criticized in some West German newspapers for allegedly adopting too rigid a position regarding possible talks with Russia on the German problem. Could you sort of review your position on this at this time, sir?

A. The position of the United States so far remains as it has been historically for the last few years, and particularly as it was expressed in the joint communique which was issued as a result of the Geneva Summit Conference of 1955. We take the position that the Four Powers, former occupying powers, have the responsibility to bring about the reunification of Germany. That was agreed to then by the Soviet Union. It was also agreed that Germany should be reunified in freedom by free elections. We hold to that. Now as to the timing and the precise character of steps that are taken, we naturally take into account very much the views of the Federal Republic as to just how these matters should be handled. Even though it be the fact that from a juridical standpoint the Four Powers have the primary responsibility for the reunification of Germany, it is a fact that the Federal Republic is deeply involved, that we have very close and friendly ties with it, and we would naturally be very much influenced by its views as to the timing and form of any steps taken to bring about this reunification.

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<sup>1</sup> Department of State press release 676, November 7, 1958.

Q. Mr. Secretary, East German Communists have begun to say repeatedly that West Berlin belongs to East Germany and have begun to compare it to Quemoy. Do you see any potential danger in this kind of propaganda campaign?

A. No. I see no danger in it, because, as I pointed out, we are most solemnly committed to hold West Berlin, if need be by military force. That is a very solemn and formal three-power commitment to which the United States stands bound. I think as long as we stand firm there, and the Communists know we will stand firm, that there is no danger to West Berlin.

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*Address by Premier Khrushchev at a Soviet-Polish Meeting, on Germany and Berlin, November 10, 1958<sup>1</sup>*

[Extract]

The imperialists have turned the German question into an abiding source of international tension. The ruling circles of Western Germany are doing everything to whip up military passions against the German Democratic Republic, against the Polish People's Republic, against all the socialist countries. Speeches by Chancellor Adenauer and Defence Minister Strauss, the atomic arming of the Bundeswehr and various military exercises all speak of a definite trend in the policy of the ruling circles of Western Germany.

We want to warn the leaders of the Federal Republic of Germany: The road followed by Western Germany today is a road dangerous to peace in Europe and fatal to Western Germany herself. Indeed, can realistically minded politicians today hope for the success of a new "march to the East"? Hitler in his time also did everything to fan war hysteria, in order to prepare the ground for an attack on the Soviet Union. However, it is well known how it all ended. It is not hard to imagine the fate of those who would try to unleash new aggression against the socialist states. No speeches by Chancellor Adenauer or his Minister Strauss can change the balance of forces in favour of imperialism. To march against the East would mean marching to death for Western Germany.

It is high time to realise that the times when the imperialists could act from "positions of strength" with impunity have gone never to return, and try as they may, the imperialists will not be able to change the balance of forces in their favour. Nor should they forget the geographical position of Western Germany which—with military techniques as they are today—would not survive a single day of modern warfare. We do not want another military conflict. It would be fatal to Western Germany and would bring untold calamities to the peoples of other countries. The Soviet Union and the other socialist countries are doing everything to keep the adventurists dreaming of new wars from taking the fatal step. The West German policy-makers would do well to consider more soberly the existing situation and desist from whipping up military passions.

The western press today often says that the government of the Federal Republic of Germany is planning to approach the Soviet

<sup>1</sup> Soviet Embassy in London, *Soviet News*, November 11, 1958.

Union, the United States of America, Britain and France with a proposal to call a new four-power meeting to settle for the Germans, and without the Germans, the question of the unification of their country. But this is nothing but a continuation of the old, unrealistic policy which is contrary to common sense and devoid of legal justification. No powers have the right to interfere in the internal affairs of the German Democratic Republic and to dictate their will to it.

We quite understand the German people's natural yearning for the restoration of their national unity. But German militarists and their American patrons are using these heart-felt national sentiments for purposes that have nothing to do either with the reunification of Germany or with ensuring a lasting peace in Europe. The militaristic circles of Western Germany are in fact following the road of widening the division of the country and preparing military adventures. If the West German government really wanted reunification, it would have followed the only way leading to this, the way of establishing contacts with the government of the German Democratic Republic, the way of agreement that would suit both the German Democratic Republic and the Federal Republic of Germany.

The German question, in the sense of the reunification of the two German states now in existence, can only be settled by the German people themselves along the lines of *rapprochement* between these states. The conclusion of a peace treaty with Germany is an entirely different matter which, indeed, should be settled primarily by the four powers which formed the anti-Hitler coalition, in co-operation with representatives of Germany. The signing of a peace treaty with Germany would help to normalize the entire situation in Germany and in Europe in general. The Soviet Union has proposed and is proposing that this measure should be tackled without delay.

If one were to speak of the four powers' undertakings with regard to Germany, one should speak of undertakings springing from the Potsdam Agreement.

Let us recall what were the main undertakings that the parties to the Potsdam Agreement assumed with regard to their policy in Germany, what was the way that Potsdam indicated for the development of Germany.

At that time, the members of the anti-Hitler coalition assumed clear-cut and definite undertakings: To extirpate German militarism, to prevent its resurgence once and for all, to do everything to prevent Germany from ever again threatening her neighbours or world peace.

The parties to the Potsdam Agreement also found it necessary to put an end to German fascism, to block its revival in Germany, to curb all fascist activities and propaganda.

Another important component of the Potsdam Agreement was an undertaking to liquidate the rule of cartels, syndicates and other monopolies in the German economy, that is, forces that had brought Hitler to power and had encouraged and financed his military gambles. Such was the substance of the agreements concluded in Potsdam in 1945.

And what do we have today, more than 13 years after the Potsdam Conference? No one can deny that the Soviet Union, for its part, has scrupulously observed these agreements and that they have been carried out in full in the eastern part of Germany, the German

Democratic Republic. Let us see how the Potsdam agreement is being carried out in the western part of Germany, in the Federal Republic of Germany, the responsibility for whose development rests with the three western powers—the United States, Britain and France.

It should be openly said that militarism, far from having been eradicated, is rearing its head ever higher in Western Germany. The powers which should have fought against the resurgence of German militarism have drawn Western Germany into the aggressive military bloc, N.A.T.O., that they have created. They are doing everything to promote the growth of German militarism and the establishment in Western Germany of a mass army supplied with the latest military equipment.

By decision of the government of the Federal Republic of Germany, and naturally, with the approval of the N.A.T.O. powers, Western Germany is building an army which the German militarists envisage as stronger than the armies of Britain and France. It is perhaps, already stronger than the French army, considering that a substantial part of the French army is kept outside the country, in the colonies, where the liberation movement against the French colonialists is at boiling point.

The armed forces that are being recreated in Western Germany are again headed by nazi generals and admirals. The West German army is being trained in the spirit of the predatory aspirations of the nazi Wehrmacht, in the spirit of revenge and hatred for the Soviet Union and other peaceable states.

Moreover, the German militarists—with the blessing of the western powers, and primarily the United States—are receiving nuclear weapons. The Federal Republic already has American rockets which can be fitted with nuclear warheads.

Economically, Western Germany is literally taking its West European allies by the throat. It is enough to note, for the sake of comparison, that in 1957, for instance, the Federal Republic produced 24,500,000 tons of steel, as against 22 million in Britain and little more than 14 million in France.

Financially, too, Western Germany is today stronger than either Britain or France. Consider their gold and currency reserves, for instance. According to official figures, Western Germany's reserves amounted to over 5,600 million dollars at the end of 1957, as compared with Britain's 2,370 million and France's 775 million dollars. All these economic resources of Western Germany are being placed at the service of reviving German militarism.

Whichever basic provisions of the Potsdam Agreement concerning the demilitarization of Germany and prevention of the resurgence of fascism we may consider, we shall arrive at the conclusion that these provisions, bearing the signatures of the United States, Britain and France, have been violated by them. What then is left of the Potsdam Agreement? One thing in effect. The so-called four-power status of Berlin, that is, a position in which the three western powers—the United States, Britain and France—have the possibility of lording it in Western Berlin, turning that part of the city, which is the capital of the German Democratic Republic, into some kind of state within a state and, profiting by this, conducting subversive ac-

tivities from Western Berlin against the German Democratic Republic, against the Soviet Union and the other Warsaw Treaty countries. On top of all this, they have the right of unrestricted communication between Berlin and Western Germany through the air space, by the railways, highways and waterways of the German Democratic Republic, a state which they do not even want to recognise.

The question arises. Who stands to benefit from this situation and why have the United States, France and Britain not violated this part of the quadripartite agreement as well? The answer is clear. They have no intention of violating this part of the Potsdam Agreement. On the contrary, they cling to it, for the agreement on Berlin is advantageous to the western powers and to them alone. The western powers, naturally, are not averse to perpetuating such privileges of "allies" for ever, even though they have long demolished the legal basis for their presence in Berlin.

Is it not time for us to draw appropriate conclusions from the fact that the key items of the Potsdam Agreement concerning the maintenance of peace in Europe and, consequently, throughout the world, have been violated, and that certain forces continue to nurture German militarism, prompting it in the direction in which it was pushed before the Second World War, that is, against the East? Is it not time for us to reconsider our attitude to this part of the Potsdam Agreement and to denounce it? The time has obviously arrived for the signatories of the Potsdam Agreement to renounce the remnants of the occupation régime in Berlin and thereby make it possible to create a normal situation in the capital of the German Democratic Republic. The Soviet Union, for its part, would hand over to the sovereign German Democratic Republic the functions in Berlin that are still exercised by Soviet agencies. This, I think, would be the correct thing to do.

Let the United States, France and Britain themselves build their relations with the German Democratic Republic, let them reach agreement with it themselves if they are interested in any questions concerning Berlin. As for the Soviet Union, we shall sacredly honour our obligations as an ally of the German Democratic Republic—obligations which stem from the Warsaw Treaty and which we have repeatedly reaffirmed to the German Democratic Republic. If any forces of aggression attack the German Democratic Republic, which is a full fledged member of the Warsaw Treaty we shall regard this as an attack on the Soviet Union, on all the Warsaw Treaty countries. We shall then rise in defence of the German Democratic Republic, and this will mean defence of the vital security interests of the Soviet Union, of the entire socialist camp, and of the cause of world peace.

The western powers which, in their time, signed the Potsdam Agreement are today working to worsen the international situation, to encourage the growing militarist tendencies of German revenge seekers, that is, they support all that the Potsdam Agreement denounced. They have long since been guided by the aggressive North Atlantic Treaty and not by the Potsdam Agreement.

They have violated the Potsdam Agreement repeatedly and with impunity, while we remain loyal to it as if nothing had changed. We have every reason to set ourselves free from obligations under

the Potsdam Agreement, obligations which have outlived themselves and which the western powers are clinging to, and to pursue with regard to Berlin a policy that would spring from the interests of the Warsaw Treaty.

The leaders of Western Germany say that good relations between the Soviet Union and the Federal Republic of Germany can only be established if the Soviet Union ceases to support the German Democratic Republic and if it brings pressure to bear on it in a direction needed by the West. Bonn does not, apparently, desire good relations with the Soviet Union if it entertains such absurd hopes. If the government of the Federal Republic really wants to have good relations with the Soviet Union it should abandon, once and for all, the hope that we shall cease to support the German Democratic Republic.

The government of the Polish People's Republic has shown valuable initiative in proposing the establishment in Central Europe of a zone where atomic, hydrogen and rocket weapons would not be manufactured or kept. This constructive proposal has been supported by the governments of the Soviet Union, Czechoslovakia, the German Democratic Republic and other socialist and nonsocialist countries which firmly stand for the preservation of peace. The ruling circles of Western Germany, however, have turned down the Polish proposal and have taken the road of equipping the Bundeswehr with atomic and rocket weapons. German militarism today is more dangerous to the world than before. German militarists hope to swallow the German Democratic Republic and to take Poland's ancient western lands away from her. They lay claims to the territory of Czechoslovakia and other socialist countries.

But they are playing with fire. The Oder-Neisse frontier is a frontier of peace. Any encroachment by German revenge-seekers on the German Democratic Republic would be regarded as an encroachment on the Oder-Neisse frontier, as a threat to the security of our peoples.

The Polish people can rest assured that they have in the Soviet Union a reliable friend and ally in the struggle against German militarism and imperialist aggression.

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*Remarks at News Conference by Secretary of State Dulles, on Berlin, November 26, 1958<sup>1</sup>*

[Extracts]

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Q. Mr. Secretary, have the United States, Britain, France, and West Germany agreed on plans to meet any contingency which may arise in East Germany and Berlin?

A. The basic position of the Three Western Powers and, indeed, of the NATO Powers is pretty well defined by prior decisions and declarations.

You ask whether we have plans to meet any contingency. Of course, I can't anticipate all the contingencies that there are, but I think that

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<sup>1</sup> Department of State press release 721, November 26, 1958.

it is fair to say that there is basic agreement, and I do not anticipate any event that could arise which would give rise to disagreement.

Q. Mr. Secretary, what is the position of the United States and the other powers on the question of dealing with any East German official who might be in a position previously held by a Soviet official?

A. The position of the United States, and I think I can fairly say of the United Kingdom and of France, is that there is an obligation, an explicit obligation, on the part of the Soviet Union to assure to the United States, and to the other Allied powers, and, indeed, to the world generally, normal access to and egress from Berlin. And that is the responsibility of the Soviet Union. It was expressed explicitly at the time of the Council of Foreign Ministers Meeting held in Paris in June of 1949, following, you will recall, the end of the Berlin blockade and the consequent airlift. At that time the Four Powers exchanged what were formally called "obligations" to assure these rights. We do not accept the view that the Soviet Union can disengage itself from that responsibility. And, indeed, that responsibility was in essence reaffirmed at the time of the Summit Meeting of July, 1955, when the Four Powers recognized their "responsibility" for the German question. That phrase "the German question" has always been held to include the question of Berlin. And so, again, you had a reaffirmation by the Soviet Union of its responsibility in the matter. We do not accept any substitute responsibility, in that situation, for that of the Soviet Union.

Q. Mr. Secretary, what if, despite this responsibility, the Soviets go ahead and turn over to the East German authorities the check points on the Autobahn and control to the land, sea, and air routes? Now the question would arise: would we deal with the East German officials who would man the check points, for example, even as—

A. Well, we would certainly not deal with them in any way which involved our acceptance of the East German Regime as a substitute for the Soviet Union in discharging the obligation of the Soviet Union and the responsibility of the Soviet Union.

Q. Does that mean that we might deal with them as agents of the Soviet Union?

A. We might, yes. There are certain respects now in which minor functionaries of the so-called GDR are being dealt with by both the Western Powers, the three allied powers, and also by the Federal Republic of Germany. It all depends upon the details of just how they act and how they function. You can't exclude that to a minor degree because it is going on at the present time and has been. On the other hand, if the character of the activity is such as to indicate that to accept this would involve acceptance of a substitution of the GDR for the present obligation and responsibility of the Soviet Union, then that, I take it, we would not do.

Q. Mr. Secretary, can you deal with them in such a way as to make a distinction between dealing with them as agents of the Soviet Union and dealing with them in such a way as to imply a kind of de facto recognition of their existence?

A. I think that that certainly could be done. We often deal with people that we do not recognize diplomatically, deal with them on a practical basis. Of course, we do that with the Chinese Communists in a number of respects. And, as I pointed out, both the Federal Re-

public of Germany and the rest of us have, in certain practical matters, for many months been dealing with minor functionaries of the GDR with respect to what might be called perfunctory, routine matters.

Q. Mr Secretary, you say we might deal with the East Germans as agents of the Soviet Union. Is that a matter of agreed policy between the three Western Powers and the Federal Republic, or only something that is possible?

A. I think that it is agreed between us that we might. But, as I say, the question of whether we would or would not, would have to depend upon the precise circumstances which surround the action, and that can't be anticipated in advance of knowing what, if anything, the Soviet Union is going to do.

Q. Mr Secretary, supposedly authoritative dispatches from Bonn in the last few days have reflected a concern on the part of Chancellor Adenauer's Government that the Western Big Three would not "hang on tough" so to speak in Berlin. On the other hand, it has been widely speculated in dispatches that many Western officials want more de facto recognition of the East German Regime and as an evidence of this has been cited the renewal of the trade agreement that has just been signed this week. Can you clarify that situation a little bit?

A. I doubt if I can clarify it very much. There have been, as you point out, dealings on a de facto basis, particularly on an economic basis, and in terms of transit back and forth between the Western Sectors of Berlin and the Federal Republic of Germany. There has been an appreciable degree of de facto dealing with the GDR, and there is this trade agreement, whereby the Federal Republic gets particularly brown coal and things of that sort from the eastern part of Germany in exchange for certain manufactured goods. As to any differences within the Federal Republic about that, I am not in a position to throw light upon it. I am not aware of any differences which are of sufficient magnitude so that they have come to my attention.

Q. Mr. Secretary, can you give us your view of why the Berlin crisis was reactivated at this time? I mean the Berlin situation between the east and the west. Do you have any idea of what the Communists had in mind?

A. I was not surprised by it at all. I think that the Soviet Union and the Chinese Communists,—what Khrushchev calls "the International Communist Movement"—is disposed periodically to try to probe in different areas of the world to develop, if possible, weak spots; to develop, if possible, differences. I think that the probing that took place in the Taiwan area was one such effort. Now it is going on in Berlin, and could go on at other places. The effort is, I think, periodically to try to find out whether they are up against firmness and strength and unity. If they find that, then I think the probing will cease. But we have got to expect these probes coming from time to time.

As I say, I was not surprised that this Berlin probe took place. Indeed, I thought it probably would take place.

Q. Mr Secretary, you seem to draw a limit beyond which we would not go in dealing with the East Germans even as agents of the Soviet Union. Could I ask whether we would refuse, for example, to accept an East German demand that special credentials would be required

from the East German Foreign Office in order to allow the traffic to continue?

A. I think it would be unwise for me to try to give categorical answers to very particular illustrations, because, obviously, this is a situation to be dealt with upon a tripartite or quadripartite basis. I think I had better just stand on the proposition that in my opinion it is the combined judgment of all four of us that nothing should be done which would seem to give the GDR an authority and responsibility to deal with the matters as to which the Soviet Union has explicitly assumed an obligation to us and a responsibility to us.

Q. Mr. Secretary, the Mayor of West Berlin said today that this crisis might provide an opportunity for a new discussion with the Soviets on German and European security questions. Sir, do you see any possibility of renewing that discussion in view of the past deadlock, and are there any new thoughts here on tying the Russian idea of negotiating a peace treaty with German unification?

A. I would hardly think that the present mood of the Soviet Union makes this a propitious time for such a negotiation. Actually, of course, we would in these matters be largely guided by the views of the Federal Republic of Germany, which is primarily concerned, and which has a government with which we have the closest relations, and in which we have the greatest confidence. Their views in these matters would carry weight with us. I have had no intimation of this kind from the Government of the Federal Republic.

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Q. Mr. Secretary, last week late there was considerable evidence that on Saturday the Soviet Government would make its promised proposals about the status in Berlin and perhaps East Germany. The Soviet Government did not do so. Do you have any intimation as to how quickly it may act in this matter or why it did not act on Saturday?

A. Well, somebody suggested to me that perhaps Mr. Khrushchev had submitted his ideas to his legal advisers and that they had raised some questions which had caused a pause. Because the fact of the matter is that it seemed as though Mr. Khrushchev had spoken initially without the benefit of legal advice which is, of course, a very bad thing to do [laughter] that he had based his case upon alleged breaches of the Potsdam Agreement.

Now, the rights and status of the allies in Berlin and the responsibilities and obligations of the Soviet Union do not in any way whatsoever derive from the Potsdam Agreements. Indeed that subject is, I am told by my own legal adviser, not even mentioned in the Potsdam Agreements. Therefore to say that because the Potsdam Agreements have been violated the Soviet Union is relieved of obligations which it assumed explicitly some four years later seems to be a non sequitur, to put it mildly. Perhaps in order to present a better case, indeed to see whether they had any case at all, the matter is being reviewed.

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Q. Mr. Secretary, to return to the Berlin question for a moment, there have been a number of reports while you were away that the United States and the allies rather than accept dealing with the East Germans might resort to another airlift to supply the city. Is this

being considered or is our policy essentially one of keeping the ground communications open, come what may?

A. Well, we have at the present time flights and facilities which we are using which involve various media. There is the air which is used, there is the autobahn which is used, there is a railroad which is used, to some extent canals which are used. We do not intend to abandon any of our rights as regards any of these particular ways. Now in just what proportions they would be used, that I can't say. Indeed, I don't know today in just what proportions the four different ways are being used. But I would think you can say that we would not de facto abandon any of the rights which were explicitly reaffirmed in the agreement of June 1949.

Q. Mr. Secretary, in the beginning Poland identified herself with the Soviet Union's position on this Berlin matter. However, Poland wants more aid from us and she has a vested interest in her western frontiers. Do you figure there is any possibility that Warsaw has given this position a second look and, if so, is it remotely possible that this may be a partial explanation for Moscow's delay in executing it?

A. Yes, that is possible, because if the Soviet Union takes the position that the Potsdam Agreement is non-existent, the consequences of that would be not to destroy our rights in Berlin, because they don't rest upon the Potsdam Agreement at all, but it might greatly compromise the territorial claims of Poland which do rest upon the Potsdam Agreement primarily.

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Q. Mr. Secretary, is it right to infer from what you said to Mr. Roberts about not abandoning any of these means of attempts to get into Berlin that we would use these means, all of them, even if the East Germans or the Russians might try to block us?

A. Yes, I think we would use all of them. Let me say, however, that nothing that has been said recently indicates that there is any intention or desire on the part of either of the Soviet Union itself or the puppet regime, the GDR, to stop access to and from Berlin. The only issue that seems to have been raised is whether or not the Soviet Union can itself dispose of its responsibilities in the matter and turn them over to the GDR. But there has not been any intimation of any kind that the result of that would be a stoppage. It would be a shift of responsibility and authority.

Now, you will recall that at the time when we recognized the Federal Republic we reserved, in order to be able to carry out our obligations vis-a-vis the Soviet Union, as regards access to and fro, we reserved out of the sovereignty which was restored to the Federal Republic the rights which we had as regards Germany as a whole, and as regards Berlin, so that we did not disenable ourselves from carrying out the undertaking which had been expressed in the June 1949 agreement. And when the Soviet Union recognized the GDR, it made a somewhat comparable reservation so as to keep itself in the position to carry out its obligations under the June 1949 agreement.

And, really, the issue now is whether the Soviet Union can, by restoring all of these rights to what it recognizes as the Government of East Germany, disenable itself from carrying out its obligations to us. And I think that, at least so far as it is exposed, the motiva-

tion at the present time would be not a purpose to drive us out of Berlin or to obstruct access to Berlin but to try to compel an increased recognition and the accordng of increased stature to the GDR.

Q. Mr Secretary, the last time this issue was up, without giving up any of our rights, we did restrain ourselves from going forward on the ground even though General Clay at that time favored such a policy. And am I right in understanding you are now saying that we would go forward on the ground if we were blocked?

A. I'd rather put it this way, that nothing that has been said or intimated indicates that that issue will arise. We do not intend to waive, either in fact or in law, any of the rights which we have. But I prefer not to speak in terms of a military threat, you might say, in relation to a situation which we have no reason to believe will occur.

Q. Mr. Secretary, supposing that the question of a blockade did not come up but the East Germans insisted upon being dealt with as an independent nation rather than as agents of the Soviet Union, would we still insist upon using the three routes?

A. I really think that I have clarified our position on these matters as far as it is useful for me to try to do it at this time, bearing in mind this is a tripartite or quadripartite matter. While I can state and have stated the common principles that are held and upon which we stand, I don't think it's wise for me to try, just on behalf of one of the four countries involved, to be more particular.

Q. Can I ask the question, Mr Secretary, have we ruled out the possibility of using force to back up our rights to unimpeded access to Berlin should the East Germans seek to stop us?

A. We have not ruled out any of our rights at all. All I have said is that nothing that was said, which Khrushchev or anybody else in recent weeks has said, suggests that there is now any purpose on the part of either the Soviet Union or the GDR to impede or obstruct our access by the various media that are available to us to and from Berlin. Therefore, it seems to me that the question as to whether if they did it we would use force is an academic proposition because, as I say, nothing has happened to indicate that there is any present intention on their part to do that.

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*Note From the Soviet Foreign Ministry to the American Ambassador at Moscow (Thompson), Regarding Berlin, November 27, 1958<sup>1</sup>*

[Official translation]

The Government of the Union of Soviet Socialist Republics addresses the Government of the United States of America as one of the signatory powers of the Potsdam Agreement on the urgent question of the status of Berlin.

The problem of Berlin, which is situated in the center of the German Democratic Republic but the western part of which is cut off from the GDR as a result of foreign occupation, deeply affects

<sup>1</sup> Department of State Bulletin, January 19, 1959, pp. 81-82. Similar notes were delivered to the Ambassadors of the United Kingdom, France, and the Federal Republic of Germany. The United States replied on December 31 (intra).

not only the national interests of the German people but also the interests of all nations desirous of establishing lasting peace in Europe. Here in the historic capital of Germany two worlds are in direct contact and at every turn there tower the barricades of the "cold war." A situation of constant friction and tension has prevailed for many years in this city, which is divided into two parts. Berlin, which witnessed the greatest triumph of the joint struggle of our countries against Fascist aggression, has now become a dangerous center of contradiction between the Great Powers, allies in the last war. Its role in the relations between the Powers may be compared to a smoldering fuse that has been connected to a powder keg. Incidents arising here, even if they seem to be of local significance, may, in an atmosphere of heated passions, suspicion, and mutual apprehensions, cause a conflagration which will be difficult to extinguish. This is the sad pass to which has come, after the 13 postwar years, the once joint and concerted policy of the Four Powers—the USSR, the USA, Great Britain and France—with regard to Germany.

To assess correctly the real importance of the Berlin problem confronting us today and to determine the existing possibilities for normalizing the situation in Berlin it is necessary to recall the development of the policy of the Powers parties to the anti-Hitler coalition—with respect to Germany.

It is common knowledge that the USA, as well as Great Britain and France, by no means immediately came to the conclusion that it was essential to establish cooperation with the Soviet Union for the purpose of countering Hitlerite aggression, although the Soviet Government constantly indicated its readiness to do so. In the capitals of the Western states opposite tendencies prevailed for a long time and they became especially marked in the period of the Munich deal with Hitler. Entertaining the hope of controlling German militarism and of pushing it eastward, the governments of the Western Powers tolerated and encouraged the policy of blackmail and threats pursued by Hitler and acts of direct aggression by Hitlerite Germany and its ally, Fascist Italy, against a number of peace-loving states.

It was only when Fascist Germany, upsetting the shortsighted calculations of the inspirers of Munich, turned against the Western Powers, when Hitler's army started moving westward, crushing Denmark, Norway, Belgium, and the Netherlands, and toppling France, that the governments of the USA and Great Britain had no alternative but to admit their miscalculations and embark upon the path of organizing, jointly with the Soviet Union, resistance to Fascist Germany, Italy, and Japan. Had the Western Powers followed a more farsighted policy, such cooperation between the Soviet Union, the USA, Great Britain, and France could have been established much sooner, in the first years after Hitler seized power in Germany, and then there would have been no occupation of France, no Dunkirk, no Pearl Harbor. Then it would have been possible to save millions of human lives sacrificed by the peoples of the Soviet Union, Poland, Yugoslavia, France, Britain, Czechoslovakia, the USA, Greece, Norway, and other countries to curb the aggressors.

The creation of the anti-Hitler coalition is a fact without precedent in modern history, if only because states with different social systems united in a defensive and just war against the common enemy. The

Soviet Government highly reveres the concord of nations that took shape in the struggle against Fascism and was sealed by the blood of the freedom loving peoples. The Soviet people would like to preserve and develop the feelings of trust and friendship that marked their relations with the peoples of the USA, Britain, France, and the other countries of the anti-Hitler coalition during the grim years of the last war.

When the peoples were celebrating victory over Hitlerite Germany a conference of the heads of government of the Soviet Union, the USA and Great Britain was held in Potsdam in order to work out a joint policy with respect to post-war Germany. The Potsdam Agreement, to which France acceded soon after it was signed, generalized the historical experience of the struggle waged by the peoples to prevent aggression by German militarism. The entire content of this agreement was directed toward creating conditions precluding the possibility of yet another attack by Germany against peace-loving states, toward preventing German militarists from unleashing another world war so that Germany, having abandoned forever the mirage of a policy of conquest, might make a firm start on the road to peaceful development.

Expressing the will of the peoples who made untold sacrifices for the sake of crushing the Hitlerite aggressors, the governments of the Four Powers solemnly undertook to eradicate German militarism and Nazism, to prevent forever their revival, and to take all steps to ensure that Germany would never again threaten its neighbors or the preservation of world peace. The participants in the Potsdam Conference expressed their determination to prevent any Fascist and militaristic activity or propaganda. They also undertook to permit and encourage all democratic political parties in Germany.

For purposes of destroying the economic foundation of German militarism, it was decided to eliminate excessive concentration in Germany's economy, represented in the form of cartels, syndicates, trusts, and other monopolies, which ensured the assumption of power by Fascism and the preparation and carrying out of Hitlerite aggression.

The Potsdam Agreement contained important provisions whereby Germany was to be regarded as a single economic entity, even during the occupation period. The agreement also provided for the creation of central German administrative departments. The Council of Foreign Ministers, established by a decision of the Potsdam Conference, was instructed to prepare a peace settlement for Germany.

The implementation of all these measures should have enabled the German people to effect a fundamental reconstruction of their life and to ensure the creation of a united, peace-loving, democratic German state.

Such are the main provisions of the Potsdam Agreement, which ensured an equitable combination of the interests both of the nations that had fought against Germany and of the fundamental interests of the German people themselves, and at the same time created a sound basis for carrying out a joint policy by the Four Powers concerning the German question, and, hence, for extensive and fruitful cooperation between them in European matters in general. However, further developments deviated a great deal from the direction mapped out at Potsdam. Relations between the USSR and the Three Western

Powers kept deteriorating. Mutual distrust and suspicion kept growing and have now developed into unfriendly relations.

The Soviet Government sincerely hoped that after the victorious end of the war it would be quite possible, notwithstanding all the inevitability of ideological differences, to continue the fruitful cooperation between the Great Powers that headed the anti-Hitler coalition, on the basis of sober recognition of the situation resulting from the war.

The policy of the Western Powers, however, was increasingly influenced by forces obsessed with hatred for Socialist and Communist ideas but which concealed during the war their hostile designs against the Soviet Union. As a result, the course was set in the West toward the utmost aggravation of the ideological struggle headed by aggressive leaders, opponents of the peaceful coexistence of states. The signal for this was given to the United States and to other Western countries by W. Churchill in his notorious Fulton speech in March 1946.

The conflict between the two ideologies—a struggle of minds and convictions—in itself could not have been particularly detrimental to relations between states. The ideological struggle has never abated and it will continue so long as there are different views on the structure of society. But, unfortunately, the pronouncements of W. Churchill and those who share his views influenced the minds of other Western statesmen, which had the most regrettable consequences. Governmental bodies and the armed forces joined in the ideological struggle that blazed forth. The results are universally known. Instead of developing cooperation between the major Great Powers, the world was split into opposing military alignments and competition began in the manufacture and stockpiling of atomic and hydrogen weapons. In other words, war preparations were launched. The Soviet Government deeply regrets that events took such a turn, since this prejudices the cause of peace and runs counter to the natural desire of peoples for peaceful coexistence and friendly cooperation. There was a time when the leaders of the USA and Great Britain, in particular Franklin D. Roosevelt, the outstanding American statesman, reflecting the sentiments of the mass of the people, proclaimed the necessity of creating such a system of mutual relations between states under which the nations would feel secure and people everywhere could live all their lives without fear.

A particularly drastic change in relations between the USA, as well as Britain and France, and the Soviet Union occurred when those powers shifted to pursuing a policy in Germany that ran counter to the Potsdam Agreement. The first violation of the Potsdam Agreement was the refusal by the governments of the USA, Great Britain, and France to honor their commitments under the aforesaid agreement regarding the transfer to the Soviet Union of the agreed amount of industrial equipment from West Germany, in partial compensation for the destruction and damage inflicted upon the national economy of the USSR by the aggression of Hitlerite Germany.

But the matter did not end there. With every passing year the governments of the USA and Great Britain drifted farther and farther away from the principles underlying the Potsdam Agreement. The same road was followed by France which, although it acceded to

the Potsdam Agreement later, cannot, of course, disclaim its share of the responsibility for carrying out this agreement.

Having embarked upon the restoration of the military and economic potential of West Germany, the Western Powers revived and strengthened the very forces that had forged Hitler's war machine. Had the Western Powers honored the Potsdam Agreement they would have prevented the German militarists from regaining their positions, checked *revanche* tendencies, and not permitted Germany to create an army and an industry manufacturing the means of destruction. However, it is a known fact that the governments of the Three Powers not only failed to do this but, on the contrary, sanctioned the creation of a West German army and are encouraging the arming of the Federal Republic of Germany, disregarding the commitments made at Potsdam. Moreover, they included West Germany in the North Atlantic bloc, which was created behind the back of the Soviet Union and, as everyone is aware, against it, and are now arming West Germany with atomic and rocket weapons.

It is evident that the bitter lessons of the murderous war have been lost on certain Western statesmen, who are once again dragging out the notorious Munich policy of inciting German militarism against the Soviet Union, their recent comrades in arms.

The legitimate question arises as to whether the very promoters of the present Western policy with respect to Germany can guarantee that the German militarism nurtured by them will not once again turn against its present partners and that the American, British, and French peoples will not have to pay with their blood for the violation by the governments of the Three Western Powers of the Allied agreements on the peaceful and democratic development of Germany. It is doubtful whether anyone can give such guarantees.

The policy of the USA, Britain, and France with respect to West Germany has led to the violation of those provisions of the Potsdam Agreement designed to ensure the unity of Germany as a peace loving and democratic state. And when a separate state, the Federal Republic of Germany, was set up independently [of the Soviet Union] in West Germany, which was occupied by the troops of the Three Powers, East Germany, where forces determined not to allow the German people to be plunged once again into disaster assumed the leadership, had no alternative but too create in its turn an independent state.

Thus, two states came into being in Germany. Whereas in West Germany, whose development was directed by the United States, Britain, and France, a government took office the representatives of which do not conceal their hatred for the Soviet Union and often openly advertise the similarity of their aspirations to the plans of the Hitlerite aggressors, in East Germany a government was formed which has irrevocably broken with Germany's aggressive past. State and public affairs in the German Democratic Republic are governed by a constitution fully in keeping with the principles of the Potsdam Agreement and the finest progressive traditions of the German nation. The rule of monopolies and Junkers has been abolished forever in the GDR. Nazism has been eradicated and a number of other social and economic reforms have been carried out, which have destroyed the basis for the revival of militarism and have made the

German Democratic Republic an important factor of peace in Europe. The Government of the GDR has solemnly proclaimed that it will fulfill, to the letter, its commitments under the Potsdam Agreement, which, incidentally, the Government of the FRG obstinately evades.

The inclusion of the FRG in the North Atlantic bloc compelled the Soviet Union to adopt countermasures, in as much as the commitments binding the Soviet Union, the United States, Great Britain, and France were broken by the Three Western Powers, which united with West Germany, and previously with Italy, against the Soviet Union, which had borne the brunt of the struggle against the Fascist aggressors. That closed military alignment created an equal threat to other countries as well. Such a situation compelled the Soviet Union, as well as a number of other European countries that were victims of aggression by German and Italian Fascism, to establish their own defensive organization, concluding for this purpose the Warsaw Treaty, to which the GDR also acceded.

There is only one conclusion to be drawn from the foregoing. The Potsdam Agreement has been grossly violated by the Western Powers. It is like the trunk of a tree, once mighty and fruitful, but now cut down and with its heart taken out. The lofty goals for which the Potsdam Agreement was concluded have long since been renounced by the Western Powers, and what they are actually doing in Germany is diametrically opposed to what the Potsdam Agreement had envisaged. The crux of the matter is not, of course, that the social and political systems of the GDR and the FRG are basically different. The Soviet Government considers that the solution of the question of social structure of both German states is the concern of the Germans themselves. The Soviet Union stands for complete noninterference in the internal affairs of the German people or in those of any other people. But the GDR's movement towards socialism has given rise to the enmity and profound hostility of the Federal Government toward it—which finds full support and encouragement by the NATO members, and, above all, the United States.

The Government of the FRG, encouraged by the Western Powers, is systematically fanning the "cold war," and its leaders have repeatedly stated that the FRG would pursue the policy "from a position of strength," i.e., a policy of dictation to the other German state. Thus, the Government of the FRG does not want a peaceful unification of the German people, who are living in two states under different social systems, but is nurturing plans for abolishing the GDR and strengthening at the latter's expense its own militaristic state.

The Soviet Government fully understands the position of the German Democratic Republic, which does not want to see the democratic and social gains of the German working people destroyed, the property of capitalists and landlords restored, the land, plants, and factories taken away from the people, and the GDR subjected to a militarist regime. The recent elections for the People's Chamber and local bodies of the German Democratic Republic are yet another striking indication that the population of the GDR unanimously supports the policy of its Government, which is aimed at preserving peace and reuniting Germany on a peaceful and democratic basis, and is fully determined to defend its Socialist gains.

The Soviet Union expresses complete solidarity with the GDR, which is firmly defending its lawful rights.

If one is to face the truth, one should recognize that other countries are not too eager either to support the plans of the Government of the FRG for unifying Germany by force. And this is understandable, since peoples including those of France and Great Britain, are still smarting from the wounds inflicted on them by Hitlerite Germany.

Traces of the last war are far from erased from French towns and villages. The ruins left in the capital and in many cities of Great Britain after the bombings by Nazi planes have not yet been removed, and millions of Britons cannot forget the tragic fate of Coventry. The peoples that were subjected to occupation by the Hitlerite army fully understand these feelings. They lost millions of men and women, killed or tortured to death, and saw thousands of cities destroyed and villages burned on their soil. The Soviet people will never forget what happened to Stalingrad, nor will the Poles ever forget the fate of Warsaw, nor the Czechoslovak people that of Lidice. American families also came to know the grief of losing their kith and kin. Germany twice unleashed world wars and in both cases dragged into them the United States of America, whose sons were compelled to shed their blood in lands thousands of miles away from American shores.

Mindful of all this, the peoples cannot and will not permit the unification of Germany on a militaristic basis.

There is another program for uniting Germany, which is advocated by the German Democratic Republic. This is a program for uniting Germany as a peace-loving and democratic state, and it cannot fail to be welcomed by the peoples. There is but one way to put it into effect, that is, through agreement and contacts between the two German states and through the establishment of a German confederation. The implementation of this proposal would, without affecting the social structures of the GDR and the FRG, direct into the single channel of a peaceful policy the efforts of their governments and parliaments and would ensure a gradual rapprochement and merger of the two German states.

The Soviet Union, as well as other states interested in strengthening the peace in Europe, supports the proposals of the German Democratic Republic for the peaceful unification of Germany. The Government of the USSR regrets that none of the efforts made in this direction has as yet produced any positive results, since the governments of the United States and other NATO members, and, above all, the Government of the FRG, do not, in fact, display any concern either for the conclusion of a peace treaty or for the unification of Germany.

Consequently, the policy pursued by the United States, Great Britain, and France, directed as it is toward the militarization of West Germany and toward involving it in the military bloc of the Western Powers, has also prevented the enforcement of those provisions of the Potsdam Agreement that pertain to Germany's unity.

Actually, of all the Allied agreements on Germany, only one is being carried out today. It is the agreement on the so-called quadripartite status of Berlin. On the basis of that status, the Three Western Powers are ruling the roost in West Berlin, turning it into a kind of state within a state and using it as a center from which to pursue subversive activity against the GDR, the Soviet Union, and the other

parties to the Warsaw Treaty. The United States, Great Britain, and France are freely communicating with West Berlin through lines of communication passing through the territory and the airspace of the German Democratic Republic, which they do not even want to recognize.

The governments of the Three Powers are seeking to keep in force the long-since obsolete part of the wartime agreements that governed the occupation of Germany and entitled them in the past to stay in Berlin. At the same time, as stated above, the Western Powers have grossly violated the Four-Power agreements, including the Potsdam Agreement, which is the most concentrated expression of the obligations of the Powers with respect to Germany. Moreover, the Four-Power agreements on the occupation of Germany, which the governments of the USA, Great Britain, and France invoke in support of their rights in West Berlin, were approved by the Potsdam Agreement or adopted for its implementation. In other words, the Three Powers are demanding, for their own sake, the preservation of the occupation privileges based on those Four-Power agreements, which they themselves have violated.

If the USA, Great Britain, and France are indeed staying in Berlin by virtue of the right stemming from the aforementioned international agreements and, primarily, from the Potsdam Agreement, this implies their duty to abide by these agreements. Those who have grossly violated these agreements have lost the right to maintain their occupation regime in Berlin or any other part of Germany. Furthermore, is it possible to insist on the occupation regime being maintained in Germany or in any part thereof for more than 18 years after the end of the war? For, any occupation is an event of limited duration, which is expressly stipulated in the Four-Power agreements on Germany.

It is well known that the conventional way to put an end to occupation is for the parties that were at war to conclude a peace treaty offering the defeated country the conditions necessary for the re-establishment of normal life.

The fact that Germany still has no peace treaty is the fault primarily of the governments of the USA, Britain, and France, which have never seemed to be in sympathy with the idea of drafting such a treaty. It is known that the governments of the Three Powers reacted negatively to every approach the Soviet Government has made to them regarding the preparation of a peace treaty with Germany.

At present, the USA, Great Britain, and France are opposed, as follows from their notes of September 30 of this year, to the latest proposals for a peaceful settlement with Germany put forward by the Soviet Union and the GDR, while making no proposals of their own on this question, just as they have made none throughout the postwar period. As a matter of fact, the last note of the US Government is a restatement of the position that proved to be utterly unrealistic, whereby Germany's national unity is to be re-established by the USSR, the USA, Great Britain, and France rather than by the German states that are to unite. It also follows from the US Government's note that it is once again avoiding negotiations with the Soviet Union and the other interested states for the purpose of pre-

paring a peace treaty with Germany. The result is a veritable vicious circle. The US Government is objecting to the drafting of a German peace treaty by referring to the absence of a united German state while at the same time hampering the reunification of Germany by rejecting the only real possibility of solving this problem through agreement between the two German states.

Is it not because the Western Powers would like to prolong indefinitely their privileges in West Germany and the occupation regime in West Berlin that they take this position on the question of drafting a peace treaty? It is becoming increasingly clear that such is the actual state of affairs.

The Soviet Government reaffirms its readiness to participate at any time in negotiations to draft a peace treaty with Germany. However, the absence of a peace treaty can by no means be an excuse now for attempting to maintain the occupation regime anywhere in Germany.

The occupation period in Germany has long since become a thing of the past and any attempts to prevent the disappearance of special rights of foreign powers in Germany are becoming a dangerous anachronism. The occupation regime in Germany has never been an end in itself. It was established to help the healthy forces of the German nation to build their own new peace-loving and democratic state on the ruins of a militaristic Germany.

Desirous of living in peace and friendship with the entire German people, the Soviet Union has established and is maintaining normal diplomatic relations with both German states. Close friendly relations bind the Soviet Union to the German Democratic Republic. These relations were embodied in the treaty concluded between the Soviet Union and the German Democratic Republic on September 20, 1955. In accordance with this treaty, relations between the two states are based on complete equality of rights, respect for each other's sovereignty, and noninterference in each other's internal affairs. The Soviet Government proceeds from the same principles in its relations with the other German state—the Federal Republic of Germany.

On their part, the governments of the USA, Great Britain, and France proclaimed an end to the occupation regime in the territory of the FRG, which had been under their control and administration when they signed the Paris agreements. The Four Power status of Berlin came into being because Berlin, as the capital of Germany, was designated as the seat of the Control Council established for Germany's administration during the initial period of occupation. This status has been scrupulously observed by the Soviet Union up to the present time, although the Control Council ceased to exist as early as ten years ago and there have been two capitals in Germany for a long time. As for the USA, Great Britain, and France, they have chosen to abuse in a flagrant manner their occupation rights in Berlin and have exploited the Four-Power status of the city for their own purposes to the detriment of the Soviet Union, the German Democratic Republic, and the other Socialist countries.

At one time, the agreement on the Four-Power status of Berlin was an agreement providing for equal rights of the Four Powers, which was concluded for peaceful democratic purposes, which purposes later became known as the Potsdam principles. At that time,

this agreement met the requirements of the day and was in accordance with the interests of all its signatories—the USSR, the USA, Great Britain, and France. Now that the Western Powers have begun to arm West Germany and turn it into an instrument of their policy directed against the Soviet Union, the very essence of this erstwhile Allied agreement on Berlin has disappeared. It was violated by three of its signatories, who began using it against the fourth signatory, i.e., against the Soviet Union. It would be ridiculous to expect that in such a situation the Soviet Union or any other self-respecting state in its place would pretend not to notice the changes that have occurred.

An obviously absurd situation has thus arisen, in which the Soviet Union seems to be supporting and maintaining favorable conditions for the Western Powers in their activities against the Soviet Union and its Allies under the Warsaw Treaty.

It is obvious that the Soviet Union, just as the other parties to the Warsaw Treaty, cannot tolerate such a situation any longer. For the occupation regime in West Berlin to continue would be tantamount to recognizing something like a privileged position of the NATO countries, for which there is, of course, no reason whatsoever.

It is hardly possible seriously to believe that the Soviet Union will help the forces of aggression to develop subversive activities, much less to prepare an attack on Socialist countries. It should be clear for anybody with common sense that the Soviet Union cannot maintain a situation in West Berlin that is detrimental to its lawful interests, its security, and the security of other Socialist countries. It would be well to bear in mind that the Soviet Union is not a Jordan or an Iran and will never tolerate any methods of pressure upon it for the purpose of imposing conditions advantageous to the opposing NATO military bloc. But this is precisely what the Western Powers are trying to get the Soviet Union to endorse in their attempts to retain their rights of occupants in West Berlin.

Can the Soviet Union disregard all these facts, which affect the vital security interests of the Soviet Union, of its ally—the German Democratic Republic—and of all the member states of the Warsaw Defense Treaty? Of course not! The Soviet Government can no longer consider itself bound by that part of the Allied agreements on Germany that has assumed an inequitable character and is being used for the purpose of maintaining the occupation regime in West Berlin and interfering in the internal affairs of the GDR?

In this connection, the Government of the USSR hereby notifies the United States Government that the Soviet Union regards as null and void the "Protocol of the Agreement between the Governments of the Union of Soviet Socialist Republics, the United States of America, and the United Kingdom on the zones of occupation in Germany and on the administration of Greater Berlin," of September 12, 1944, and the related supplementary agreements, including the agreement on the control machinery in Germany, concluded between the governments of the USSR, the USA, Great Britain, and France on May 1, 1945, i.e., the agreements that were intended to be in effect during the first years after the capitulation of Germany.

It is easy to see that all the Soviet Government is doing by making this statement is to recognize the actual state of affairs, which consists

in the fact that the USA, Great Britain, and France have long since rejected the essentials of the treaties and agreements concluded during the war against Hitler Germany and after its defeat. The Soviet Government is doing no more than drawing conclusions that inevitably ensue for the Soviet Union from this actual state of affairs.

Pursuant to the foregoing and proceeding from the principle of respect for the sovereignty of the German Democratic Republic, the Soviet Government will enter into negotiations with the Government of the GDR at an appropriate time with a view to transferring to the German Democratic Republic the functions temporarily performed by the Soviet authorities by virtue of the above-mentioned Allied agreements and under the agreement between the USSR and the GDR of September 20, 1953. The best way to solve the Berlin problem would undoubtedly be to adopt a decision based on the enforcement of the Potsdam Agreement on Germany. But this is possible only in the event that the three Western Powers return to a policy in German affairs that would be pursued jointly with the USSR and in conformity with the spirit and principles of the Potsdam Agreement. In the present circumstances this would mean the withdrawal of the Federal Republic of Germany from NATO with the simultaneous withdrawal of the German Democratic Republic from the Warsaw Treaty [organization], and an agreement whereby, in accordance with the principles of the Potsdam Agreement, neither of the two German states would have any armed forces except those needed to maintain law and order at home and guard the frontiers.

Should the Government of the United States be unwilling to contribute in such a way to the implementation of the political principles of the Allied agreements on Germany, it will have no reason, either legal or moral, for insisting on the preservation of the Four Power status of Berlin. Some ill-wishers of the Soviet Union may of course try to interpret the position of the Soviet Government in the question of the occupation regime in Berlin as the striving for some sort of annexation. It goes without saying that such an interpretation has nothing in common with reality. The Soviet Union, just as the other Socialist states, has no territorial claims. In its policy, it is firmly guided by the principle of condemning annexation, i.e., the seizure of foreign territories and forced annexation of foreign peoples. This principle was proclaimed by Lenin, the founder of the Soviet state, as far back as the first days of Soviet power in Russia.

The USSR does not seek any conquests. All it wants is to put an end to the abnormal and dangerous situation that has developed in Berlin because of the continued occupation of its western sectors by the USA, Great Britain, and France.

An independent solution to the Berlin problem must be found in the very near future since the Western Powers refuse to take part in the preparation of a peace treaty with Germany and the Government of the FRG, supported by the same powers, is pursuing a policy hampering the unification of Germany. It is necessary to prevent West Berlin from being used any longer as a springboard for intensive espionage, sabotage, and other subversive activities against Socialist countries, the GDR, and the USSR or, to quote the leaders of the United States Government, to prevent its being used for "indirect aggression" against the countries of the Socialist camp.

Essentially speaking, the only interest the United States, Great Britain and France have in West Berlin consists in using this "front-line city," as it is vociferously called in the West, as a vantage point from which to carry on hostile activities against the socialist countries. The Western powers gain nothing else from their stay in Berlin as occupiers. The ending of the illegal occupation of West Berlin would cause no harm whatever, either to the United States or to Great Britain or France. It would, on the other hand, substantially improve the international atmosphere in Europe and set peoples' minds at rest in all countries.

On the contrary, the Western powers' insistence on continuing their occupation of West Berlin would lead to the conclusion that the matter is not confined to "indirect aggression" against the GDR and the Soviet Union, and that some other plans are apparently being kept in view for an even more dangerous use of West Berlin.

The Soviet Government makes this approach to the Government of the USA, guided by the desire to achieve a relaxation of international tension; to put an end to the state of "cold war" and pave the way for the restoration of good relations between the Soviet Union and the United States, as well as Great Britain and France; to clear away everything that gives rise to clashes and quarrels between our countries; and to reduce the number of causes leading to conflicts. Indeed, one cannot escape the fact that West Berlin, in its present status, is just such a source of discord and suspicion between our countries.

Of course, the most correct and natural way to solve the problem would be for the western part of Berlin, now actually detached from the GDR, to be reunited with its eastern part and for Berlin to become a unified city within the state in whose territory it is situated.

However, the Soviet Government, taking into account the present unrealistic policy of the USA as well as of Great Britain and France with respect to the German Democratic Republic, cannot but foresee the difficulties the Western powers have in contributing to such a solution of the Berlin problem. At the same time, it is guided by the concern that the process of liquidating the occupation regime may not involve any painful break in the established way of life of the West Berlin population.

One cannot of course fail to take into account the fact that the political and economic development of West Berlin during the period of its occupation by the three Western powers has progressed in a different direction from the development of East Berlin and the GDR, as a result of which the way of life in the two parts of Berlin are at the present time entirely different. The Soviet Government considers that when the foreign occupation is ended the population of West Berlin must be granted the right to have whatever way of life it wishes for itself. If the inhabitants of West Berlin desire to preserve the present way of life, based on private capitalistic ownership, that is up to them. The USSR, for its part, would respect any choice of the West Berliners in this matter.

In view of all these considerations, the Soviet Government on its part would consider it possible to solve the West Berlin question at the present time by the conversion of West Berlin into an independent political unit—a free city, without any state, including both existing German states, interfering in its life. Specifically, it might be pos-

able to agree that the territory of the free city be demilitarized and that no armed forces be contained therein. The free city, West Berlin, could have its own government and run its own economic, administrative, and other affairs.

The Four Powers which shared in the administration of Berlin after the war could, as well as both of the German states, undertake to respect the status of West Berlin as a free city, just as was done, for instance, by the Four Powers with respect to the neutral status which was adopted by the Austrian Republic.

For its part, the Soviet Government would have no objection to the United Nations also sharing, in one way or other, in observing the free-city status of West Berlin.

It is obvious that, considering the specific position of West Berlin, which lies within the territory of the GDR and is cut off from the outside world, the question would arise of some kind of arrangement with the German Democratic Republic concerning guarantees of unhindered communications between the free city and the outside world—both to the East and to the West—with the object of free movement of passenger and freight traffic. In its turn West Berlin would undertake not to permit on its territory any hostile subversive activity directed against the GDR or any other state.

The above-mentioned solution of the problem of West Berlin's status would be an important step toward normalizing the situation in Berlin, which, instead of being a hotbed of unrest and tension, could become a center for contacts and cooperation between both parts of Germany in the interest of her peaceful future and the unity of the German nation.

The establishment of free-city status for West Berlin would firmly ensure the development of West Berlin's economy, due to its contacts on all sides with the states of the East and the West, and would ensure a decent standard of living for the city's population. For its part, the Soviet Union states that it would contribute in every way toward the achievement of these ends, in particular by placing orders for industrial goods and amounts that would fully ensure the stability and prosperity of the free city's economy, and by regular deliveries on a commercial basis of the necessary quantities of raw materials and food stuffs to West Berlin. Thus, by the liquidation of the occupation regime, not only would the more than two million people of West Berlin not be harmed but on the contrary they would have every opportunity to raise their living standard.

In case the Government of the USA and the governments of Great Britain and France express their agreement to consider the question of liquidating the present occupation regime in West Berlin by setting up a free city within its territory, the Soviet government would be willing on behalf of the Four Powers to enter into official contact on this matter with the government of the German Democratic Republic, with which it has already had preliminary consultations prior to the sending of the present note.

Naturally, it would also be realized that the GDR's agreement to set up on its territory such an independent political organism as a free city of West Berlin would be a concession, a definite sacrifice on the part of the GDR for the sake of strengthening peace in Europe, and for the sake of the national interest of the German people as a whole.

The Soviet Government, guided by a desire to normalize the situation in Berlin in the interest of European peace and in the interest of a peaceful and independent development of Germany, has resolved to effect measures on its part designed to liquidate the occupation regime in Berlin. It hopes that the Government of the USA will show a proper understanding of these motives and make a realistic approach to the Berlin question.

At the same time, the Soviet Government is prepared to enter into negotiations with the governments of the United States of America and with those of the other states concerned on granting West Berlin the status of a demilitarized free city. In case this proposal is not acceptable to the government of the USA then there will no longer remain any topic for negotiations between the former occupying powers on the Berlin question.

The Soviet Government seeks to have the necessary change in Berlin's situation take place in a cold atmosphere, without haste and unnecessary friction, with maximum possible consideration for the interests of the parties concerned. Obviously, a certain period of time will be necessary for the powers which occupied Germany after the defeat of Hitler's Wehrmacht to agree on proclaiming West Berlin a free city provided, naturally, that the Western powers display due interest in this proposal.

It should also be taken into consideration that the necessity may arise for talks between the municipal authorities of both parts of Berlin and also between the GDR and the FRG to settle any questions that may arise. In view of this, the Soviet Government proposes to make no changes in the present procedure for military traffic of the USA, Great Britain, and France from West Berlin to the FRG for half a year. It regards such a period as fully sufficient to provide a sound basis for the solution of the questions connected with the change in Berlin's situation and to prevent a possibility of any complications, provided, naturally, that the governments of the Western powers do not deliberately seek such complications. During the above-mentioned period the parties will have an opportunity to prove in practice their desire to ease international tension by settling the Berlin question.

If the above-mentioned period is not utilized to reach an adequate agreement, the Soviet Union will then carry out the planned measures through an agreement with the GDR. It is envisaged that the German Democratic Republic, like any other independent state, must fully deal with questions concerning its space, i.e., exercise its sovereignty on land, on water, and in the air. At the same time, there will terminate all contacts still maintained between representatives of the armed forces and other officials of the Soviet Union in Germany and corresponding representatives of the armed forces and other officials of the USA, Great Britain, and France on questions pertaining to Berlin.

Voces are raised in the capitals of some Western powers that those powers do not recognize the Soviet Union's decision to relinquish its part in the maintenance of the occupation status in Berlin. But how can one place the question on such a level? He who today speaks of nonrecognition of the steps planned by the Soviet Union obviously would like to talk with the latter not in the language of reason and

well founded arguments but in the language of brute force, forgetting that the Soviet people are not affected by threats and intimidation. If behind the words about "nonrecognition" there really lies the intention to resort to force and drag the world into a war over Berlin, the advocates of such a policy should realize that they assume a very grave responsibility for all its consequences before all nations and before history. Those who indulge in sabre rattling in connection with the situation in Berlin are once again betraying their interests in preserving for aggressive purposes the occupation regime in Berlin.

The Government of the Soviet Union would like to hope that the problem of normalizing the situation in Berlin, which life itself raises before our states as a natural necessity, will in any case be solved in accordance with considerations of statesmanship, the interests of peace between peoples, without the unnecessary nervous strain and intensification of a "cold war."

Methods of blackmail and reckless threats of force will be least of all appropriate in solving such a problem as the Berlin question. Such methods will not help solve a single question, but can only bring the situation to the danger point. But only madmen can go to the length of unleashing another world war over the preservation of privileges of occupiers in West Berlin. If such madmen should really appear, there is no doubt that strait jackets could be found for them. If the statesmen responsible for the policy of the Western powers are guided by feelings of hatred for communism and the socialist countries in their approach to the Berlin question as well as other international problems, no good will come out of it. Neither the Soviet Union nor any other small socialist state can or will deny its existence precisely as a socialist state. That is why, having united in an unbreakable fraternal alliance, they firmly stand in defense of their rights and their state frontiers, acting according to the motto—*one for all and all for one*. Any violation of the frontiers of the German Democratic Republic, Poland, or Czechoslovakia, any aggressive action against any member state of the Warsaw Treaty will be regarded by all its participants as an act of aggression against them all and will immediately cause appropriate retaliation.

The Soviet Government believes that it would be sensible to recognize the situation prevailing in the world and to create normal relations for the co-existence of all states, to develop international trade, to build relations between our countries on the basis of the well known principles of mutual respect for one another's sovereignty and territorial integrity, nonaggression, non-interference in one another's internal affairs, equality and mutual benefit.

The Soviet Union and its people and government are sincerely striving for the restoration of good relations with the United States of America, relations based on trust, which are quite feasible as shown by the experience in the joint struggle against the Hitlerite aggressors, and which in peacetime would hold out to our countries nothing but the advantages of mutually enriched spiritual and material co-operation between our peoples, and to all other people the blessings of a tranquil life under conditions of an enduring peace.

*Statement by the Department of State, Regarding the Soviet Note on Berlin, November 27, 1958<sup>1</sup>*

The Soviet Government has today handed the United States Ambassador in Moscow a communication relating to Berlin. Apparently similar notes have been received by the Ambassadors of France, the United Kingdom, and the Federal Republic of Germany. The communication is a very long one and will of course receive careful study.

The Soviets seem to be proposing that, while they keep their grip on East Berlin, the three Western allies abandon their rights in West Berlin and retire in favor of what is called a "free city." Their "free city" proposal is limited to West Berlin. The Soviet Government indicates that, unless the three Western allies accept this Soviet proposal within 6 months, the Soviet Union will consider itself free of its obligations to them in relation to Berlin.

It is clear that a number of fundamental considerations are raised which will have to be kept in mind while we study the Soviet note.

One of these is that the United States, along with Britain and France, is solemnly committed to the security of the Western sectors of Berlin. Two and a quarter million West Berliners in reliance thereon have convincingly and courageously demonstrated the good fruits of freedom.

Another consideration is that the United States will not acquiesce in a unilateral repudiation by the Soviet Union of its obligations and responsibilities formally agreed upon with Britain, France, and the United States in relation to Berlin. Neither will it enter into any agreement with the Soviet Union which, whatever the form, would have the end result of abandoning the people of West Berlin to hostile domination.

The Western allies have for years sought to negotiate with the Soviets for the freedom of all of Germany, of which Berlin is part, on the basis of free elections by the German people themselves. Indeed, the three Western powers are still awaiting a reply to their latest proposals presented on September 30, 1958, to the Soviet Government.

The United States Government will consult with the British and French Governments as well as with the Federal Republic of Germany and NATO in regard to the new Soviet note.

*Statement by Secretary of State Dulles, Regarding the Soviet Note on Berlin, November 30, 1958<sup>2</sup>*

[Extract]

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During the course of my stop-over at Augusta, I reported to the President on the developing situation following the receipt on November 27 of the Soviet Union notes on Berlin. We noted the exchanges of views which had already taken place between the Western

<sup>1</sup> *The Soviet Note on Berlin. An Analysis* (Department of State publication 6757), p. 49.  
<sup>2</sup> White House news release, November 30, 1958. The statement was released at Augusta, Georgia.

Allies most concerned, including the Federal Republic of Germany, and the general harmony of views already manifest in the West. Consultations will, of course, continue.

The President reiterated our government's firm purpose that the United States will not enter into any arrangement or embark on any course of conduct which would have the effect of abandoning the responsibilities which the United States, with Great Britain and France, has formally assumed for the freedom and security of the people of West Berlin.

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### *Four-Power Communiqué on Berlin, December 14, 1958<sup>1</sup>*

The Foreign Ministers of France, the Federal Republic of Germany, the United Kingdom and the United States met on December 14, 1958 in Paris to discuss developments in the Berlin situation during the past month, including notes addressed to their several governments on November 27 by the Soviet Union. The four Foreign Ministers had the benefit of an oral statement on the situation in Berlin by Herr Brandt, Governing Mayor of that city.

The Foreign Ministers of France, the United Kingdom and the United States once more reaffirmed the determination of their governments to maintain their position and their rights with respect to Berlin including the right of free access.

They found unacceptable a unilateral repudiation by the Soviet Government of its obligations to the Governments of France, the United Kingdom and the United States in relation to their presence in Berlin and the freedom of access to that city or the substitution of the German authorities of the Soviet Zone for the Soviet Government insofar as those rights are concerned.

After further discussion of the Soviet notes of November 27, 1958 the four Foreign Ministers found themselves in agreement on the basic issues to be dealt with in the replies to those notes. They will consult with their allies in the NATO Council, following which the four governments will formulate their replies.

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### *NATO Declaration on Berlin, December 16, 1958<sup>2</sup>*

1. The North Atlantic Council examined the question of Berlin.
2. The Council declares that no state has the right to withdraw unilaterally from its international engagements. It considers that the denunciation by the Soviet Union of the interallied agreements on Berlin can in no way deprive the other parties of their rights or relieve the Soviet Union of its obligations. Such methods destroy the mutual confidence between nations which is one of the foundations of peace.
3. The Council fully associates itself with the views expressed on the subject by the Governments of the United States, the United Kingdom, France and the Federal Republic of Germany in their statement of 14th December.

<sup>1</sup> *The Soviet Note on Berlin: An Analysis* (Department of State publication 8757), p. 50.  
<sup>2</sup> *Ibid.*, pp. 50-51.

4. The demands expressed by the Soviet Government have created a serious situation which must be faced with determination.

5. The Council recalls the responsibilities which each member state has assumed in regard to the security and welfare of Berlin and the maintenance of the position of the three powers in that city. The member states of NATO could not approve a solution of the Berlin question which jeopardized the right of the three western powers to remain in Berlin as long as their responsibilities require it, and did not assure freedom of communication between that city and the free world. The Soviet Union would be responsible for any action which had the effect of hampering this free communication or endangering this freedom. The two million inhabitants of West Berlin have just reaffirmed in a free vote their overwhelming approval and support for that position.

6. The Council considers that the Berlin question can only be settled in the framework of an agreement with the U.S.S.R. on Germany as a whole. It recalls that the western powers have repeatedly declared themselves ready to examine this problem, as well as those of European security and disarmament. They are still ready to discuss all these problems.

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*NATO Final Communiqué, December 18, 1958<sup>1</sup>*

The North Atlantic Council held its regular Ministerial Session in Paris from 16th to 18th December, 1958.

*International Situation*

In a comprehensive survey of the international situation, the Council gave first place to the question of Berlin. The member countries made clear their resolution not to yield to threats. Their unanimous view on Berlin was expressed in the Council's Declaration of 16th December.

The Council will continue to follow this question with close attention and will shortly discuss the replies to be sent to the Soviet notes of 27th November.

The member states of NATO sincerely believe that the interests of peace require equitable settlements of the outstanding political issues which divide the free world from the Communist world. A solution of the German question, linked with European security arrangements, and an agreement on controlled disarmament remain in their view essential. The NATO Governments will continue to seek just settlements of these problems, but regret that Western proposals on these questions have so far been ignored by the Soviet Government.

The Council heard reports on the Geneva discussions on the discontinuance of nuclear weapons tests, and on measures helpful in preventing surprise attack.

The Council's review of the international situation, on the basis of reports prepared by the Political Committee, covered a wide range of problems.

Special attention was given to the efforts of the Communist bloc to weaken the positions of the free world in different areas.

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<sup>1</sup> *Ibid.*, pp. 51-53.

### *Political Cooperation*

The Council had before it a report by the Secretary General on political cooperation in the Alliance. The Ministers consider that important progress has been made in this field during 1958. They examined the problems inevitably created by the widening of political consultation. There was general agreement that the existing machinery of NATO is well suited to the needs of the Alliance, and that flexible methods would produce better results than any codification of rules. The Ministers agreed that the preparation of political consultation in the Council could be improved, in particular by more systematic study of long-term political questions. The Council paid tribute to the efforts of the Secretary General in the field of conciliation between member countries.

### *Economic Questions*

The Ministers reaffirmed the importance they attach to the measures taken both individually and collectively by member countries to stimulate economic activity and to ensure continuing expansion without inflation.

The Council noted the difficulties encountered in the negotiations undertaken for the Organization of Economic Cooperation between the European members of the Alliance who are in the Common Market and those who are not.

It considers it necessary that a multilateral association should be established at the earliest possible date and expresses the hope that the efforts now being undertaken with a view to a solution will be successful.

The Council heard a joint statement by the Greek and Turkish Foreign Ministers on the problems of the less developed member countries, and instructed the Permanent Council to undertake a study of this matter.

### *Military Questions*

The Council examined the military situation of the Alliance. After hearing reports by the Standing Group and the Supreme Allied Commanders, the Ministers emphasized the vital need, in view of the continuing increase in Soviet armaments, to sustain without relaxation the effort of member countries to improve the defensive power of the Alliance.

The Council reaffirmed that NATO defensive strategy continues to be based on the existence of effective shield forces and on the manifest will to use nuclear retaliatory forces to repel aggression.

The Ministers examined the report of the 1958 Annual Review and approved its conclusions. The implementation of the plans agreed in December 1957 by the Heads of Government is being actively pursued, and methods for accelerating their realization were agreed.

The next regular Ministerial Meeting of the Council will be held in Washington on April 2nd to 4th, 1959, at the invitation of the United States Government, on the occasion of the tenth anniversary of the signing of the North Atlantic Treaty.

*Statement by the Department of State, on Legal Aspects of the Berlin Situation, December 29, 1958<sup>1</sup>*

The United States considers that the agreements denounced by the Soviet Union are in full force and effect, that the Soviet Union remains fully responsible for discharging the obligations which it assumed under the agreements, and that the attempts by the Soviet Union to undermine the rights of the United States to be in Berlin and to have access thereto are in violation of international law.

The legal dispute of the United States Government with the Soviet Government involves fundamental questions of international law. Among them are the respective rights acquired by the occupying authorities in Germany at the conclusion of World War II and the status of those rights pending a final peace settlement with Germany, the question whether a nation may unilaterally abrogate without cause international agreements to which it is a party in order to divest itself of responsibilities which it has voluntarily assumed; and what is the effect of a unilateral renunciation of jointly shared rights of military occupation by one of the occupiers.

During World War II the United States, the United Kingdom, and the Soviet Union, together with the forces of the Free French and of the other United Nations, formed a coalition of allied forces united in the common effort of defeating Nazi Germany. Several major international meetings were held between the heads of government of the Allied Powers at which the common objectives were outlined and plans for the securing of peace were mapped out.

The agreed communique of the Moscow Conference, held from October 19 to October 30, 1943, stated:

The Conference agreed to set up machinery for ensuring the closest cooperation between the three Governments in the examination of European questions arising as the war develops. For this purpose the Conference decided to establish in London a European Advisory Commission to study these questions and to make joint recommendations to the three Governments.

The European Advisory Commission held its first meeting on January 14, 1944. Thereafter it discussed "European questions" including the anticipated surrender and occupation of Germany. The nature of the subsequent occupation of Germany and Greater Berlin is clearly reflected by the discussions held in the European Advisory Commission and the agreements concluded as a result of the discussions.

On February 18, 1944, the Soviet representative submitted a document entitled "Conditions of Surrender for Germany" for consideration of the Commission, article 15 of which revealed the thinking of the Soviet Government at that time in regard to the establishment of zones of occupation in Germany. Paragraph (d) of article 15 of the document proposed the following with regard to Berlin:

d) There shall be established around Berlin a 10/15 kilometer zone which shall be occupied jointly by the armed forces of the Union of Soviet Socialist Republics, the United Kingdom and the United States of America.

In discussing the Soviet proposal, the British representative at a meeting on February 18, 1944, doubted the desirability of including

<sup>1</sup> 1958, pp. 38-45.

in the terms of surrender a provision giving boundaries to such zones, since this appeared to him to be a domestic matter for the Three Powers themselves.

On March 17, 1944, at the Fifth Meeting of the European Advisory Commission, the Soviet representative, Mr. Gusev, stated that he would not insist upon the inclusion of article 15 in the Instrument of Surrender, which could thereby be made shorter. The delimitation could then be set forth in a separate document to be agreed on by the Allies. This separate document was worked out in a series of subsequent discussions, and, on September 12, 1944, the representatives of the three Governments signed a Protocol on the Zones of Occupation in Germany and the Administration of "Greater Berlin." On November 14, 1944, agreement was reached regarding certain amendments to the Protocol of September 12. The Soviet representative on the European Advisory Commission gave notification that the Soviet Government approved the agreement regarding amendments on February 6, 1945. The United Kingdom had previously approved on December 5, 1944, the Protocol and amendments, and the United States on February 2, 1945.

The Crimean Conference was held February 4-11, 1945, and in consequence thereof the following significant statement was made by the Prime Minister of Great Britain, the President of the United States of America, and the Chairman of the Council of People's Commissars of the Union of Soviet Socialist Republics on the results of the Crimean Conference:

### THE OCCUPATION AND CONTROL OF GERMANY

We have agreed on common policies and plans for enforcing the unconditional surrender terms which we shall impose together on Nazi Germany after German armed resistance has been finally crushed. These terms will not be made known until the final defeat of Germany has been accomplished. Under the agreed plan, the forces of the three powers will each occupy a separate zone of Germany. Coordinated administration and control has been provided for under the plan through a central control commission consisting of the Supreme Commanders of the three powers with headquarters in Berlin. It has been agreed that France should be invited by the three powers, if she should so desire, to take over a zone of occupation, and to participate as a fourth member of the control commission. The limits of the French zone will be agreed by the four governments concerned through their representatives on the European Advisory Commission.

On July 26, 1945, the United Kingdom, the United States, and the U.S.S.R. entered into an agreement with the Provisional Government of the French Republic regarding amendments to the Protocol of September 12, 1944, which served to include France in the occupation of Germany and the administration of "Greater Berlin." The Soviet representative on the European Advisory Commission gave notice that his Government approved this agreement on August 13, 1945. The United States approved on July 29, 1945, the United Kingdom approved on August 2, 1945, and the French Government approved on August 7, 1945.

The Protocol, in its final form, provides:

1. Germany, within her frontiers as they were on the 31st December, 1937, will, for the purposes of occupation, be divided into four zones, one of which will be allotted to each of the four Powers, and a special Berlin area, which will be under joint occupation by the four Powers.

The Protocol then specifies the geographical boundaries of each zone and provides for the division of the territory of Greater Berlin, which "will be jointly occupied by the armed forces" of the Four Powers, into four parts. Paragraph 5 of the Protocol provides:

5. An Inter Allied Governing Authority (Komendatura) consisting of four Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly the administration of the "Greater Berlin" Area.

It should be borne in mind that the only changes in the Protocol subsequent to February 6, 1945, when it came into force, were the amendments relating to the French occupation rights. The French Zone of Occupation and French Sector of Berlin were carved out from the American and British Zones and Sectors so that the amendments did not affect any change as between the U.S.S.R and the Western powers in the fundamental allocation of authority in Germany.

The relationship of the occupying powers in Germany was further clarified by the work of the European Advisory Commission in connection with the agreement on control machinery in Germany. On November 14, 1944, an agreement was reached in the Commission with regard to the organization of the allied control machinery in Germany in the period during which Germany would be carrying out the basic requirements of unconditional surrender. On May 1, 1945, agreement was reached to include the Provisional Government of the French Republic in the control agreement.

This agreement, in its final form, provides that:

Supreme authority in Germany will be exercised, on instructions from their respective Governments, by the Commanders-in-Chief of the armed forces of the United States of America, the United Kingdom and the Union of Soviet Socialist Republics, [and] the Provisional Government of the French Republic each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole, in their capacity as members of the supreme organ of control constituted under the present Agreement.

It also provided, with respect to Berlin (article 7(a)):

An Inter-Allied Governing Authority (Komendatura) consisting of four Commandants, one from each Power, appointed by their respective Commanders-in-Chief, will be established to direct jointly the administration of the "Greater Berlin" area. Each of the Commandants will serve in rotation, in the position of Chief Commandant, as head of the Inter-Allied Governing Authority.

This agreement, unlike the Protocol on Zones of Occupation, contained a provision with respect to duration (article 10):

The allied organs for the control and administration of Germany outlined above will operate during the initial period of

the occupation of Germany immediately following surrender, that is, the period when Germany is carrying out the basic requirements of unconditional surrender.

On May 7 and 8, 1945, the Acts of Military Surrender were signed, by which the German High Command surrendered "unconditionally to the Supreme Commander, Allied Expeditionary Force and simultaneously to the Supreme High Command of the Red Army," all forces under German control.

At the time of the surrender of the German military forces, British and United States military forces held by force of arms all of Germany west of a line running from Wismar to Magdeburg to Torgau to Dresden. This area included practically all of the German territory which has been allotted to the Western powers under the Protocol of Zones of Occupation, and a very substantial portion of the territory allocated to the Soviet Zone. Of interest also is that the Western powers had, in the weeks prior to the German surrender, rejected German offers to surrender or withdraw German forces on the western front while holding on the east against the Soviet forces and thus permit the Western Allies to occupy all of Germany. Faithful to their agreements with the Soviet Union respecting the joint nature of the defeat of the Nazi regime and joint assumption of supreme authority in Germany, the Western powers repudged these proposals.

On June 5, 1945, the Allied Representatives in Germany issued a Declaration Regarding the Defeat of Germany and the Assumption of Supreme Authority with Respect to Germany.

The declaration provided:

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, hereby assume supreme authority with respect to Germany, including all the powers possessed by the German Government, the High Command and any state, municipal, or local government or authority. The assumption, for the purposes stated above, of the said authority and powers does not effect the annexation of Germany.

The Governments of the United States of America, the Union of Soviet Socialist Republics and the United Kingdom, and the Provisional Government of the French Republic, will hereafter determine the boundaries of Germany or any part thereof and the status of Germany or of any area at present being part of German territory.

On June 5, 1945, the four Allied Governments also issued a statement on control machinery in Germany. This statement is substantially identical with the Agreement on Control Machinery in Germany.

Likewise, on June 5, 1945, the four Allied Governments issued a statement on the zones of occupation in Germany. The statement announced the areas agreed previously in the European Advisory Commission in 1944. Article 2 of the statement provides that

The area of "Greater Berlin" will be occupied by forces of each of the four Powers. An Inter-Allied Governing Authority (in Russian, Komendatura) consisting of four Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly its administration.

On June 14, 1945, the President of the United States wrote a letter to Marshal Stalin concerning the withdrawal of American troops from the Soviet Zone into the United States Zone of Occupation, to be carried out.

\* \* \* in accordance with arrangements between the respective commanders, including in these arrangements simultaneous movement of the national garrisons into Greater Berlin and provision of free access by air, road, and rail from Frankfurt and Bremen to Berlin for United States forces.

Stalin replied by letter dated June 18, 1945, stating:

On our part all necessary measures will be taken in Germany and Austria in accordance with the above-stated plan.

On July 1, 1945, United States forces entered Berlin and withdrew from their advanced position in Eastern Germany.

In accordance with the proposal concerning the withdrawal of United States forces from Thuringia and Saxony and entry into Berlin, a conference was held on June 29, 1945, between Marshal Zhukov, General Clay, and General Weeks. General arrangements were made for use by the Western powers of specific roads, rail lines, and air lines for the purpose of exercising their rights of access to Berlin.

The general arrangements were further defined through actions of the Allied control machinery in Germany—the Control Council, the Coordinating Committee, which was the Council's principal subordinate body, and the interested functional committees and directorates. Certain of these specific arrangements were incorporated in approved papers, such as Directorate of Transport paper CONL/P (45) 27 regarding rail access, Minute (110) (a) of the Allied Control Council regarding air corridors to Berlin, the Air Directorate paper on air safety in Berlin, DAIR P (45) 67 second revision, and the Air Directorate paper on rules of flight in the corridors, DAIR/P (45) 71 second revision. In addition, a variety of working practices and arrangements developed with respect to the exercise by the Western powers of their rights of access. The arrangements, however, related merely to the orderly exercise of the rights of access.

On March 20, 1948, the Soviet representatives walked out of the Allied Control Council for Germany after the Soviet representative, who was in the chair, arbitrarily declared the meeting closed. On March 30, 1948, the Soviet Deputy Military Governor, General Dratvin, stated in a letter to the United States Military Government that supplementary provisions regarding communications between the Soviet and U.S. Zones of Occupation in Germany would go into effect on April 1, 1948. These provisions, which were contrary to practices established since the quadripartite occupation of Berlin, set forth that:

(1) U.S. personnel traveling through the Soviet Zone by rail and highway must present documentary evidence of identity and affiliation with the U.S. Military Administration of Germany;

(2) Military freight shipments from Berlin to the Western zones must be cleared through Soviet check points by means of a Soviet permit; freight shipments into Berlin would be cleared by accompanying documents;

(3) All baggage must be inspected at Soviet check points, with the exception of personal belongings of U.S. personnel carried in a passenger railway car or a passenger automobile. Similar letters were delivered to the British and French Military Government authorities.

On March 31 the Chief of Staff, U.S. Military Government, replied that the new provisions were not acceptable and that such unilateral changes of policy could not be recognized.

The Soviets then commenced the series of restrictions on traffic to and from Berlin which ultimately culminated in the Berlin blockade. The facts regarding the effort of the Soviet Union to starve the population of Berlin in order to force the Western powers to surrender their rights in the city are too well known to require reiteration.

The airlift mounted by the Western powers defeated this Soviet effort. On May 4, 1949, the Governments of the United States, U.S.S.R., United Kingdom, and France reached an agreement at New York which provided in part as follows:

1. All the restrictions imposed since March 1, 1948, by the Government of the Union of Soviet Socialist Republics on communications, transportation, and trade between Berlin and the Western zones of Germany and between the Eastern zone and the Western zones will be removed on May 12, 1949.

The Council of Foreign Ministers which convened at Paris subsequent to the New York agreement of May 4, 1949, agreed as follows:

5. The Governments of France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States agree that the New York agreement of May 4, 1949, shall be maintained. Moreover, in order to promote further the aims set forth in the preceding paragraphs and in order to improve and supplement this and other arrangements and agreements as regards the movement of persons and goods and communications between the Eastern zone and the Western zones and between the zones and Berlin and also in regard to transit, the occupation authorities, each in his own zone, will have an obligation to take the measures necessary to insure the normal functioning and utilization of rail, water, and road transport for such movement of persons and goods and such communications by post, telephone, and telegraph.

Article 1 of the New York agreement of May 4, 1949, was implemented by Order Number 56 of the Soviet Military Government and Commander in Chief of the Soviet occupation forces in Germany, dated May 9, 1949. The order provides that the regulations which were in effect prior to 1 March 1948 concerning communications between Berlin and the Western zones were reestablished. Specifically, paragraph 4 of the Soviet Order provides, "The procedure in effect prior to 1 March 1948 for military and civilian personnel of the British, American, and French occupation forces permitting them to cross the demarcation line at the control points of Marienborn and Nowawes without special passes and requiring passes authorized by the SMA staff for all other control points is to be reestablished."

The foregoing historical summary establishes beyond question that the rights of the United States in Germany and in Berlin do not

depend in any respect upon the sufferance or acquiescence of the Soviet Union. Those rights derive from the total defeat of the Third Reich and the subsequent assumption of supreme authority in Germany. This defeat and assumption of authority were carried out as joint undertakings in which the participants were deemed to have equal standing. The rights of each occupying power exist independently and underlie the series of agreements which specify the areas and the methods in which those rights are to be exercised. From this fact two important consequences are derived.

In the first place, the specific rights which flow from the Agreement on Zones of Occupation and the Status of Berlin do not vary in either kind or degree. The right of each power to be in occupation of Berlin is of the same standing as the right of each power to be in occupation of its zone. Further, the rights of the three Western powers to free access to Berlin as an essential corollary of their right of occupation there is of the same stature as the right of occupation itself. The Soviet Union did not bestow upon the Western powers rights of access to Berlin. It accepted its zone of occupation subject to those rights of access. If this were not true and the doctrine of joint and equal rights is not applicable, then, for example, the United States would now be free to require the Soviet Union to withdraw from that portion of the Soviet Zone originally occupied by American forces and to assume control of the area.

In the second place, inasmuch as the rights of occupation and of access do not stem from the Soviet Union, the Soviets are without any authority to repeal those rights by denunciation of agreements or by purported transfer of control over them to third parties. The Soviet Union cannot affect the rights by declaring agreements null and void because the rights exist independently of the Soviet Union. The Soviet Union cannot affect the rights by declaring them subject to the sovereignty it claims to have bestowed upon its puppet regime in East Germany, because, again, the rights remain in being irrespective of any act of the Soviets. Whatever relationship the East German regime may have vis à vis the Soviets, it cannot acquire a power in the Soviet Zone which the Soviets are powerless to give. The foregoing discussion is, of course, without reference to the legality of the purported Soviet action in denouncing its solemn commitments, which is discussed in the succeeding section.

The Soviet Government, in its note of November 27, 1958, states:

... The Soviet Government can no longer consider itself bound by that part of the Allied agreements on Germany that has assumed an inequitable character and is being used for the purpose of maintaining the occupation regime in West Berlin and interfering in the internal affairs of the GDR.

In this connection, the Government of the USSR hereby notifies the United States Government that the Soviet Union regards as null and void the "Protocol of the Agreement between the Governments of the Union of Soviet Socialist Republics, the United States of America, and the United Kingdom on the zones of occupation in Germany and on the administration of Greater Berlin," of September 12, 1944, and the related supplementary agreements, including the agreement on the control machinery in Germany, concluded between the governments of the USSR,

the USA, Great Britain, and France on May 1, 1945, i. e., the agreements that were intended to be in effect during the first years after the capitulation of Germany.

In an attempt to justify this action, the Soviet Government alleges:

(1) that such action is legal because of alleged violations by the Western powers of the Potsdam Agreement;

(2) that the agreements were intended to be in effect only during the first years after the capitulation of Germany;

(3) that alleged activities of the Western powers in their sector of Berlin have resulted in a forfeiture of their rights to occupy those sectors and to have free access thereto.

#### *Relationship of the Potsdam Agreement to U.S. Occupation Rights With Respect to Berlin*

The so-called Potsdam Agreement was issued at the conclusion of the Berlin Conference of July 17 to August 2, 1945. The Protocol of the Proceedings which embodied the points of agreement reached by the Heads of Government of the United States of America, United Kingdom, and Union of Soviet Socialist Republics is dated August 1, 1945. From this mere statement of the time factor it is apparent that the Agreement on Zones of Occupation and the Status of Berlin which had entered into force on February 6, 1945, approximately 6 months earlier, does not depend for its validity upon the Postdam Protocol of Proceedings. Moreover, there is nothing in the Potsdam Protocol which specifically subjects the prior agreement to any of its terms or which can be interpreted as having that effect. Nor is there any evidence that the subsequent agreements on the exercise of the rights of access relate to or are connected in any way with the Potsdam Protocol.

Violations (alleged or real) of the Potsdam Agreement could not, therefore, have any legal effect upon the validity either of the basic occupation rights of the Western powers or upon the agreements which define the rights of the Western powers to be in occupation of their zones and of their sectors of Berlin and to have free access to Berlin.

Moreover, the Potsdam Agreement, insofar as Germany is concerned, is related to the common objectives of the occupation authorities in Germany. The attainment of these objectives was designed to further the purposes of the occupation of Germany, but there is no indication anywhere in the Protocol that the right of occupation depended upon attainment of the objectives. Further, to the extent that these objectives were not realized, the failure resulted from violations by the Soviet Union of the provisions of the Potsdam Protocol. The major violations were the refusal of the Soviet Union to treat Germany as an economic unit and the continuing attempts of the Soviet Union to obtain reparation payments to which it was not entitled under the terms of the Protocol. The United States is prepared to document violations of the Potsdam Agreement by the Soviet Union. It has never contended, however, that such violations affect the right of the Soviet Government to occupy its zone of Germany and sector of Berlin.

The United States denies, and is prepared to document the correctness of its position, that it has violated the Potsdam Agreement

as alleged by the Soviet Government. The United States submits, however, that the issue is irrelevant to the question of whether the Soviet Union may unilaterally declare null and void an international agreement such as the Protocol of September 12, 1944, since the two agreements related to different subjects and were in no way interdependent.

It should also be noted that the Soviet Union has not, in its note, alleged that it considers the Potsdam Protocol as null and void by reason of these asserted violations by the Western powers. If the Potsdam Protocol remains in force and effect then, accepting for the sake of argument that these other distinct and independent agreements are in fact contingent upon that Protocol, how can it be maintained either logically or legally that the subsidiary agreements are voided by violation of the principal agreement although the principal agreement is not so voided? The position is, on its face, completely untenable.

#### *Duration of Agreements Relating to Occupation of Germany*

The United States considers that the Soviet Government is notably vague in its references in its note of November 27, 1958, to the specific agreements relating to Germany which it considers "were intended to be in effect during the first years after the capitulation of Germany."

The United States believes that an examination of the various documents referred to above, taken in the historical context in which they were agreed, makes entirely clear the nature of the commitments undertaken by the four occupation authorities. Certain of the documents, or portions thereof, referred to immediate goals of the occupation, or to the administrative arrangements between the occupation authorities. Understandably, express provision was made in such cases for review after a reasonable period of time. Specifically, the statement on control machinery in Germany of June 5, 1945, is a case where such arrangements were made. Paragraph 1 of the agreement stated, "In the period when Germany is carrying out the basic requirements of unconditional surrender \* \* \*." Paragraph 8 is even more specific as to the intention of the parties:

8. The arrangements outlined above will operate during the period of occupation following German surrender, when Germany is carrying out the basic requirements of unconditional surrender. *Arrangements for the subsequent period will be the subject of a separate agreement.* [Italics not in original.]

There has never been any doubt on the part of the United States that a "two step" occupation period for Germany had been envisaged in the pre-occupation planning. Further, the United States is fully in accord with the position that the "period when Germany is carrying out the basic requirements of unconditional surrender" has long since passed. A similar introductory qualification was made in connection with the items contained in Part II of the Potsdam Protocol entitled "The Principles to Govern the Treatment of Germany in the Initial Control Period." Just as the Control Machinery Agreement was recognized as an arrangement to cover a relatively short period, the Potsdam "Principles" in Part II were to govern in the immediate postwar period prior to the reestablishment of a central German authority when the Allied Powers would administer Germany under

military government. Secretary of State Acheson pointed this out in his statement made to the Council of Foreign Ministers on May 24, 1949. A few days later, on May 28, Mr. Bevin told the Council that the Western powers considered the "initial control period" as over. Secretary Acheson said he heartily concurred in this statement of Mr. Bevin. Mr. Vyshinsky did not meet the argument squarely or counter the line of reasoning implied. He said on May 27:

\*\*\* the [Control] Council was established for definite purposes. If these purposes were already attained, then this fact should be taken into account and new aims formulated.

Accordingly the United States does not contest that the Control Agreement and Part II of the Potsdam Agreement were limited to an "initial control period." The record is entirely clear, however, that the limitations in these documents did not indicate that the basic occupation rights and the other occupation agreements were to terminate after the initial control period. No such proviso is contained in the Protocol of September 12, 1944; the Act of Military Surrender; the Declaration of June 5, 1945, regarding the defeat of Germany and the assumption of supreme authority; the statement of June 5, 1945, on zones of occupation in Germany; the statement of June 5, 1945, on Consultation with the Governments of other United Nations; the provisions of the Potsdam Agreement other than Part II; or any of the specific arrangements relating to access to Berlin.

The weakness in an argument that the September 12, 1944, Protocol became ineffective after the initial control period because of some implied relationship to the time proviso in the Control Machinery Agreement of June 5, 1945, is clearly seen by the fact that the Control Machinery Agreement, in the sentence following the one which the Soviets seek to spread to all other occupation agreements, provides "Arrangements for the subsequent period will be the subject of a separate agreement." Accordingly, the Soviet effort to assert, at this late date, that agreements relating to the occupation of Germany were all intended to be effective only "during the first years after the capitulation of Germany" is without substance.

#### *Forfeiture of the Occupation Rights of the Western Powers by Their Activities in Western Berlin*

The United States does not consider it necessary to disprove the Soviet charges which are made in the note of November 27, 1958, regarding United States activities as an occupying authority in Berlin. It can and will do so if such action should appear desirable. The well known fact that there is a constant stream of refugees from the Soviet-controlled areas of Germany into West Berlin is by itself compelling evidence as to which powers are properly discharging their occupation responsibilities. But no discussion of the facts is required because the Soviet charges do not relate in any way to obligations assumed by the United States in any of the agreements which the Soviet Union has denounced.

The Soviet position that one party to a multilateral agreement which is declaratory of existing rights can denounce that agreement and thus unilaterally relieve itself of its obligations thereunder and void such rights is untenable. In the absence of agreement by the other parties to terminate the agreement, or in the absence of a specified duration in the agreement itself, the question of termination must

be justified in terms of international law. International law does not recognize any right of unilateral denunciation under such circumstances.

In order to place its position on this matter in correct perspective, the United States wishes to note that while, as stated above, there was no agreement or limitation on the duration of the allied occupation of Germany, the duration of which it was recognized would depend on the length of time it took to accomplish the purposes of the occupation and might be many years, the United States recognized an obligation of the Allied Governments under international law to reach a peace settlement with Germany and not to prolong the occupation of Germany unnecessarily. It is believed that the public record of efforts on the part of the Western powers to reach agreement with the Soviet Government on the terms of such a peace settlement are well known and speak for themselves.

(1) At the first meeting of the Second Session of the Council of Foreign Ministers (Paris, 1946) Secretary of State Byrnes suggested that a special commission be appointed to consider a German peace treaty. On May 15, 1946, he proposed the appointment of special deputies to prepare a draft peace settlement for Germany which the Council could submit to a peace conference to be convened on November 12, 1946.

(2) At the Third Council of Foreign Ministers Session (New York, 1946) Secretary Byrnes insisted that the Council should immediately appoint its deputies for Germany and that these deputies should explore the problem prior to the Moscow session.

(3) The proposed peace treaty was debated at the Moscow Council of Foreign Ministers in March 1947; at London in 1947; at Paris in 1949. The position consistently taken by the United States in favor of a final peace settlement with Germany is thus a matter of public record.

(4) At the Paris session of the deputies of the Council of Foreign Ministers, efforts were made from March 5 to June 22, 1951, without success just to agree on the agenda for a meeting to consider the German question.

The fact of the matter was that during the period of the debates between the Soviet Union and the Western occupation powers between 1946 and 1951 the Soviet Union had initiated a system of government in its zone of control based on armed force and police state methods. The Western Allied Powers could not accept the individuals put forward as representing East Germany as other than instruments of the Soviet Union. The Western powers accordingly have insisted on German reunification based on free elections as a prerequisite for negotiation of a peace treaty with Germany. The Soviet Union has insisted upon acceptance of its hand-picked East German representatives as having an equal voice with the freely elected representatives of West Germany in any reunification. Thus, this Soviet rejection of democratic principles has vitiated efforts to reach agreement on the peace settlement with Germany envisaged during the war and during the immediate postwar period.

The fact remains that the Western powers have supported and support now the right of Germany to have a final peace settlement and the termination of the occupation period. It is the position of the

United States that, being thus ready in good faith to bring the occupation period to a close by legitimate means, there can be no legal or moral doubt of the right of the United States to maintain its right of occupation in Berlin and its corollary right of access thereto and that efforts of the Soviet Union to assail and interfere with those rights are in violation of international law.

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*Note from the United States to the Soviet Union, on Berlin,  
December 31, 1958<sup>1</sup>*

The Government of the United States acknowledges the note which was addressed to it by the Government of the U.S.S.R. under date of November 27.

The note contains a long elaboration on the events which preceded and followed the last war. It attempts to portray the Western Powers—France, the United Kingdom and the United States—as supporters of Hitlerism as against the Soviet Union. This portrayal is in sharp contrast with the actual facts. In this connection we refer to the contemporaneous statement made by the Soviet Minister of Foreign Affairs to the Supreme Soviet of the U.S.S.R. on October 31, 1939. In that statement he refers, among other things, to the "conclusion of the Soviet-German non-aggression pact of August 23" and points out "we now had a rapprochement and the establishment of friendly relations between the U.S.S.R. and Germany". The statement goes on to assail the British and French Governments for their opposition to Hitlerism in the following language: "The ruling circles of Britain and France have been lately attempting to depict themselves as champions of the democratic rights of nations against Hitlerism, and the British Government has announced that its aim in the war with Germany is nothing more nor less than the 'destruction of Hitlerism' . . . everybody will understand that an ideology cannot be destroyed by force, that it cannot be eliminated by war. It is therefore not only senseless, but criminal to wage such a war—a war for the 'destruction of Hitlerism' camouflaged as a fight for 'democracy'."

The situation of Berlin of which the Soviet Government complains and which it considers abnormal is a result of the very nature of the German problem such as it has existed since 1945. When the empire of Hitler collapsed the Western Allies were in military possession of more than one-third of what subsequently was occupied by the Soviet authorities.

The Soviet Union was in possession of Berlin. On the basis of the agreements of September 12, 1944 and May 1, 1945, the Western Allies withdrew, thereby permitting a Soviet occupation of large parts of Mecklenburg, Saxony, Thuringia and Anhalt, and concurrently, the three Western Powers occupied the western sectors in Berlin, then an area of rubble.

The Soviet Union has directly and through its puppet regime—the so-called German Democratic Republic—consolidated its hold over the large areas which the Western Allies relinquished to it. It now

<sup>1</sup> *U.S.A.*, pp. 53-54.

demands that the Western Allies should relinquish the positions in Berlin which in effect were the *quid pro quo*.

The three Western Powers are there as occupying powers and they are not prepared to relinquish the rights which they acquired through victory just as they assume the Soviet Union is not willing now to restore to the occupancy of the Western Powers the position which they had won in Mecklenburg, Saxony, Thuringia and Anhalt and which, under the agreements of 1944 and 1945, they turned over for occupation by the Soviet Union.

The agreements made by the Four Powers cannot be considered obsolete because the Soviet Union has already obtained the full advantage therefrom and now wishes to deprive the other parties of their compensating advantages. These agreements are binding upon all of the signatories so long as they have not been replaced by others following free negotiations.

Insofar as the Potsdam agreement is concerned, the status of Berlin does not depend upon that agreement. Moreover, it is the Soviet Union that bears responsibility for the fact that the Potsdam agreement could not be implemented.

The Soviet memorandum purports formally to repudiate the agreements of September 12, 1944 and May 1, 1945. This repudiation in fact involves other and more recent engagements. We refer in this connection to the Four Power agreement of June 20, 1949 whereby, among other things, the Soviet Union assumed "an obligation" to assure the normal functioning of transport and communication between Berlin and the Western Zones of Germany. This "obligation" the Soviet Union now purports to shed. The United States also refers to the "summit" agreement of July 23, 1955 whereby the Four Powers recognized "their common responsibility for the settlement of the German question", a phrase which necessarily includes the problem of Berlin. Apparently the Soviet Union now attempts to free itself from these agreed responsibilities and obligations.

The United States Government cannot prevent the Soviet Government from announcing the termination of its own authority in the quadripartite regime in the sector which it occupies in the city of Berlin. On the other hand, the Government of the United States will not and does not, in any way, accept a unilateral denunciation of the accords of 1944 and 1945; nor is it prepared to relieve the Soviet Union from the obligations which is assumed in June, 1949. Such action on the part of the Soviet Government would have no legal basis, since the agreements can only be terminated by mutual consent. The Government of the United States will continue to hold the Soviet Government directly responsible for the discharge of its obligations undertaken with respect to Berlin under existing agreements. As the Soviet Government knows, the French, British and United States Governments have the right to maintain garrisons in their sectors of Berlin and to have free access thereto. Certain administrative procedures have been agreed with the Soviet authorities accordingly and are in operation at the present time. The Government of the United States will not accept a unilateral repudiation on the part of the Soviet Government of its obligations in respect of that freedom of access. Nor will it accept the substitution of the regime which the Soviet Government refers to as the German Democratic Republic for the Soviet Government in this respect.

In the view of the Government of the United States, there can be no "threat" to the Soviet Government or the regime which the Soviet Government refers to as the German Democratic Republic from the presence of the French, British and United States garrisons in Berlin. Nor can there be any military threat from Berlin to the Soviet Government and this regime. The forces of the three Western Powers in Berlin number about ten thousand men. The Soviet Government, on the other hand, is said to maintain some three hundred and fifty thousand troops in Eastern Germany, while the regime which the Soviet Government refers to as the German Democratic Republic is understood also to maintain over two hundred thousand men under arms. In these circumstances, the fear that the Western troops in Berlin may "inflict harm" appears to be wholly unfounded. If Berlin has become a focus of international tension, it is because the Soviet Government has deliberately threatened to disturb the existing arrangements at present in force there, arrangements to which the Soviet Government is itself a party. The inhabitants of West Berlin have recently reaffirmed in a free vote their overwhelming approval and support for the existing status of that city.

The continued protection of the freedom of more than two million people of West Berlin is a right and responsibility solemnly accepted by the Three Western Powers. Thus the United States cannot consider any proposal which would have the effect of jeopardizing the freedom and security of these people. The rights of the Three Powers to remain in Berlin with unhindered communications by surface and air between that city and the Federal Republic of Germany are under existing conditions essential to the discharge of that right and responsibility. Hence the proposal for a so-called "free city" for West Berlin, as put forward by the Soviet Union, is unacceptable.

As is stated in the Soviet Government's note of November 27, it is certainly not normal that thirteen years after the end of the war there should still remain in a part of German territory a system of occupancy instituted in 1945. The United States deplores this fact and the fact that Germany has not yet been reunified so that Berlin might resume its rightful position as capital of a united Germany. If the treaty of peace, which alone can bring an end to this situation, has not been concluded with a reunited Germany, the responsibility in no way rests with the Three Western Powers which have not spared any effort to bring the Four Powers out of the impasse where they have so long found themselves. Pending the conclusion of a peace treaty, the present situation continues.

In reality, the form of government in Berlin, the validity of which the Soviet Government attempts to contest today, is only one aspect, and not the essential one, of the German problem in its entirety. This problem, which has often been defined, involves the well known questions of reunification, European security, as well as a peace treaty. It has in the past been discussed without success in the course of numerous international meetings with the Soviets. The Government of the United States has always been and continues today to be ready to discuss it. The United States made clear this readiness in its note to the Soviet Union of September 30, 1958, in which it was stated:

"The Government of the United States is ready at any time to enter into discussions with the Soviet Government on the basis of those

proposals [i.e., the Western proposals for free all-German elections and free decisions for all-German Government], or of any other proposals genuinely designed to insure the reunification of Germany in freedom, in any appropriate forum. It regards the solution of the German problem as essential if a lasting settlement in Europe is to be achieved". The Soviet Union has not yet seen fit to reply to this note.

Public repudiation of solemn engagements, formally entered into and repeatedly reaffirmed, coupled with an ultimatum threatening unilateral action to implement that repudiation unless it be acquiesced in within six months, would afford no reasonable basis for negotiation between sovereign states. The Government of the United States could not embark on discussions with the Soviet Union upon these questions under menace or ultimatum; indeed, if that were intended, the United States would be obliged immediately to raise a protest in the strongest terms. Hence, it is assumed that this is not the purpose of the Soviet note of November 27 and that the Soviet Government, like itself, is ready to enter into discussions in an atmosphere devoid of coercion or threats.

On this basis, the United States Government would be interested to learn whether the Soviet Government is ready to enter into discussions between the Four Powers concerned. In that event, it would be the object of the Government of the United States to discuss the question of Berlin in the wider framework of negotiations for a solution of the German problem as well as that of European security. The United States Government would welcome the views of the Soviet Government at an early date.

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*Note from the Soviet Union to the United States, Transmitting a Draft Peace Treaty for Germany, January 10, 1959<sup>1</sup>*

[Unofficial translation]

The Soviet Government considers it necessary to draw the attention of the Government of the United States of America to that entirely abnormal situation which has arisen as a consequence of the delayed solution of one of the most important international postwar problems—the conclusion of a peace treaty with Germany.

While with other states which participated in the Second World War on the side of Germany peace treaties have already long been concluded and their development has been established on an independent national basis, the German people still do not have a peace treaty, which deprives them of the possibility of realizing their state sovereignty in full measure and of becoming an equal member in the family of nations. Furthermore, foreign troops still continue to remain on the territory of Germany and in some of their units, for example in West Berlin, even an occupation regime is retained.

The delay of a peace settlement with Germany from year to year leaves unsettled many questions which affect the interests not only of Germany but also of countries which took part in the war against Germany. The lack of a peace treaty with Germany seriously

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<sup>1</sup> Department of State Bulletin, March 9, 1959, pp. 333-343. The United States replied on February 16, 1959. (*infra*)

worsens the situation in Europe, gives rise to suspicion and distrust in relations between states, (and) hinders the normalization of these relations.

It is impossible to ignore that, taking advantage of the absence of a peace treaty, in West Germany German militarism is again rising to its feet and collecting its forces. This cannot but disturb the Soviet people as well as other European peoples to whom militaristic Germany more than once has brought terrible calamities and suffering. A peace treaty corresponding to the interests of the peaceful development of Germany would create the conditions necessary for terminating forever the repetition of the tragic events of the past when German militarists drew humanity into ruinous wars with colossal human and material losses.

Being true to the obligations it assumed in connection with Germany and considering the legitimate interests of the German people and of other European peoples, the Soviet Government during post-war years has repeatedly advanced proposals to the Governments of the United States of America, Great Britain and France to work out and conclude a peace treaty with Germany. Unfortunately, the proposals of the USSR relating to a peaceful settlement with Germany have not encountered a favorable attitude on the part of the Western powers, which have not only not advanced any of their own proposals whatever but also have not seriously desired to discuss this problem which has long been a pressing one. In addition, for many years there has been advanced by them one and the same thesis, that so-called free all German elections should have alleged priority and that not the Germans ought to concern themselves with the question of the reunification of Germany but the four former occupation powers. This thesis has also appeared as the chief content of the notes of the Western powers of September 30, 1958 to which an exhaustive answer was given in the notes of the Soviet Government on the Berlin question of November 27, 1958.

If one does not beguile himself with illusions and looks truth in the eye, it is necessary to recognize that the reestablishment of the unity of Germany ought to go forward through a number of stages in the course of rapprochement between the German Democratic Republic and the Federal Republic of Germany. Today the beginning of that process can only be desired, the success of which however depends on the efforts of both German states. To reject the preparation of a peace treaty with Germany means to bring matters to a stage whereby the German people would have neither a peace treaty nor a unified national state. This would mean the preservation of the existing unacceptable situation creating the possibility that the Federal Republic of Germany will endeavor to impose on the German Democratic Republic an internal system on its model. But in this case the German Democratic Republic in its turn would rightly raise the question of changes in the system and regime in the Federal Republic of Germany. It is understandable that this would not only not facilitate the attainment of the national unity of Germany but, on the contrary, would also increase the already profound gulf between both German states.

On the other hand, under present conditions the conclusion of a peace treaty is precisely that measure which most rapidly of all can bring the German people to a solution of their principal all-national

task, the reunification of the country. The definition in a peace treaty of the military status of Germany and also of the external conditions, the observance of which would safeguard its internal development from any and all foreign interference, would open up clear perspectives before the German people for the future Germany, (and) would make much easier for Germans living in the two states with different social-economic structures the search for ways to broaden contacts and to establish trust between them. A peace treaty would create a good basis for the rapprochement of both German states, (and) for the surmounting of those profound differences which now still stand in their way toward unification into one entity.

For the sake of fairness, it should be noted that the Government of the Federal Republic of Germany bears a significant share of the responsibility for the situation which has been created in Germany, including also for the fact that Germany remains without a peace treaty up to the present time, inasmuch as it has adopted the course of remilitarization and has closely tied its policy to the plans of the NATO military bloc, which (plans) fundamentally contradict the national interests of Germany. If new evidence is needed of the fact that the Government of the Federal Republic of Germany is conducting just such a course, then the note of the Government of the Federal Republic of Germany of January 5, 1959, which is an answer to the note of the Soviet Government of November 27, 1958, on the Berlin question, is this evidence. This note shows that, instead of assisting in the solution of the Berlin question in the interests of peace in Europe and in the interests of the German nation itself, the Government of the Federal Republic of Germany is striving in every way to inflame passions and to make the situation around the Berlin question red hot with the aim of achieving the preservation of the occupation regime in West Berlin.

One cannot justify such a situation wherein states which participated in the war with Hitler Germany are forced to wait and remain passive observers in such a serious matter which brooks no delay as the preparation and conclusion of a peace treaty with Germany. These states, which were able to arrange a close collaboration with each other during the war, have an opportunity even now to find a common language, regardless of existing differences, to bring to a conclusion the matter of a peaceful settlement with Germany, (and) finally to secure to the European peoples, including also the German people, a quiet and peaceful life. The necessity for a solution of this task is all the more urgent because in both German states—the German Democratic Republic and the Federal Republic of Germany—a movement is spreading for the most rapid preparation and conclusion of a peace treaty.

Proceeding from the observations set forth above and wishing to place the matter of a peaceful settlement with Germany on a practical basis, the Soviet Government has prepared the draft of a peace treaty and refers it herewith for the consideration of the Government of the United States of America.

Aspirations for the division of the world into conquerors and conquerors are foreign to the Soviet state just as feelings of revenge in regard to its former military opponents are also foreign to it. The idea of the peaceful democratic development of Germany is set as the basis of the Soviet draft of the peace treaty. The restoration of the

full sovereignty of the German people over Germany, its territory, and its airspace is provided for by the draft. No limitations in the development of its peaceful economy, trade, (and) navigation, (and) in its access to world markets are imposed on Germany. The right is recognized for Germany to have its national armed forces necessary for the defense of the country. All these provisions of the draft open broad opportunities before the German people for peaceful creative labor and guarantee to them an equal position among the other peoples of the world.

Of course, the draft of the treaty provides for certain military limitations which in the conviction of the Soviet Government correspond both to the national interests of the German people, who have twice gone through the abyss of world wars, as well as to the general interests of peace. In the military obligations imposed on Germany there is above all the prohibition of the production of nuclear and missile weapons and the supplying of the German armed forces with them, which would help in the strengthening of security in Europe and would aid in eliminating one of the main barriers dividing both German states at the present time.

The provision of the peace treaty which excludes the possibility of the enlistment of Germany in any kind of military groupings directed against any state which was in a state of war against Hitler Germany and among the participants of which are not all the four main Allied powers in the Atlantic coalition—the U.S.S.R., the United States of America, England, and France—also has an important significance for assuring peace in Europe. The inclusion of this provision in the treaty would to a significant degree deliver humanity from the threat of a new war inasmuch as nobody will deny that this threat is much stronger just because of the presence of a military alliance of one or several great powers with Germany directed against the other great power.

Taking account of what has been said, the Soviet Government proposes in a 2 month period to convoke in Warsaw or Prague a peace conference for consideration of the draft of the peace treaty with Germany which is being presented, (and) for the working out and signing of an agreed text of the treaty. In the conference there would take part, on the one hand, the Governments of the states which participated with their armed forces in the war against Germany and, on the other hand, the Governments of the German Democratic Republic and the Federal Republic of Germany, which would sign the peace treaty in the name of Germany. If a German confederation has been created by the time of the signing of the peace treaty, then in that case the peace treaty could be signed by representatives of the German confederation and also of both German states.

It goes without saying that the Soviet Government recognizes the right of the Governments of the German Democratic Republic and the Federal Republic of Germany to come to an understanding about any suitable representation for Germany in the preparation and signature of the peace treaty.

In presenting the draft of the peace treaty with Germany, the Soviet Government proceeds from the fact that the positions of the interested parties in the German question have already been fully defined and that it is now essential, dispensing with unnecessary polemics, to proceed to the working out of decisions of a practical nature dictated by the

situation which has arisen in Germany and by the interests of strengthening peace in Europe.

The Soviet Government is convinced that only he who does not wish the German people well, who wants to see Germany torn apart also in the future, who does not want to convert Europe into a continent where firm peace and security would reign and who wants it (Europe) to be left as before as a breeding ground for dangerous tension, (and) for a "cold war" fraught with a serious threat to the cause of peace can fail to show a positive attitude toward the proposal concerning the conclusion of a peace treaty.

The Soviet Government considers that, besides the conclusion of a peace treaty, practical measures can also be taken even now in regard to Berlin, as the Soviet Government has already suggested, in particular in its note to the Government of the United States of November 27, 1958. As far as the U.S. Government in its note of December 31, 1958, set forth its consideration in connection with the indicated suggestions, the Soviet Government in answer to this note must declare the following:

The period has long since passed when the Allied governments demanded from Germany fulfillment of the terms of unconditional surrender, when the supreme power in Germany was carried out by the Supreme Commanders of the occupation troops of the four powers, (and) when there functioned the Control Council and the "Interallied Kommandatura" directed by it for the joint administration of "greater Berlin". However, one might think that the U.S. note was written in conformity with the situation during the first years of the occupation without taking into consideration at all those major changes which have taken place in Germany in the postwar years. The whole note is imbued with the spirit of that time (and) with the aim of justifying and affirming its "right of occupation" although the U.S. Government also recognizes as abnormal the fact that 13 years after the end of the war, there still exists in Berlin a system of occupation established in 1945.

The argument that the presence of American troops in Berlin is somehow justified by the fact that they entered there as a result of the Second World War cannot call forth belief on anyone's part. If one casts aside the obsolete accretions of the occupation period and soberly evaluates the existing situation, then it will become clear that the aim of the United States of America, England and France to retain their positions in West Berlin, does not have anything in common with the consequences of the last war and with those postwar agreements by which the development of Germany as a peace-loving and democratic state was determined. It is based on the new situation which has arisen as a result of the gross violation by the Western powers of the said agreements, of the withdrawal from good Allied relations and of their turn of their policy into the direction of sharpening relations with the U.S.S.R. and creating military groupings.

Only he who wishes to utilize West Berlin as an instrument of hostile activity against the Soviet Union, the German Democratic Republic and the states friendly to them for a still greater deepening of the existing contradictions and for an intensification of international tension, can speak out for the preservation of the present situation in Berlin.

To preserve the existing situation in Berlin means to preserve the danger of development of the "cold war" into a third world war with grave consequences for the peoples. Under such conditions, nobody can expect that the Soviet Union will support the occupation regime in West Berlin with its own hands.

The occupation which was understandable and necessary immediately after the rout of Hitlerite Germany, insofar as it led to the transformation of German political life on a peace-loving and democratic basis, now has its significance above all as a cover for the transformation of West Berlin into a strong point of NATO, situated in the center of the German Democratic Republic.

In the note of the U.S. Government, there are recalled the Allied agreements of 1944 and 1945 concerning Berlin along with which these agreements were interpreted in such a way as to make out that they do not depend on the Potsdam agreement and up to now give a right to the Western powers to maintain their troops in West Berlin. Such an interpretation can in no way be agreed with since it is in contradiction with well known facts and with those obligations which were taken by the powers in regard to Germany.

The four party status of Berlin arose and existed not isolated from all the other agreements of the Allies on Germany but was fully subordinated to the fulfilling of the basic tasks of the occupation of Germany in the early postwar period, which were specified in the Potsdam agreement. Setting forth on the path of the rearmament of West Germany and of drawing it into its military grouping, the United States of America, Great Britain, and France have crudely violated the Potsdam agreement and have thereby eliminated the legal ground for maintaining the present status of Berlin as well as in general for the occupation of Germany.

The Soviet Union always observed and is now observing its obligations under international agreements, including those on Germany. Moreover, nobody can reproach the Soviet Union for not having raised its warning voice when the Western powers tore up one Allied agreement after the other, pushing Western Germany on the path of militarism and revengefulness. If the three Western powers respected the Potsdam agreement as does the Soviet Union and fulfilled the obligations taken on themselves according to this agreement, then one could with certainty say that now there would not only be no Berlin question, but no German problem in general since they would have been decided for the good of the German people (and) in the interests of peace in Europe.

The four-part agreements on Berlin as well as on Germany as a whole bear a temporary character only for the period of the occupation of Germany. But the occupation has ended. The Soviet Union, the United States of America, Great Britain, France, and other states have made announcements concerning the ending of the state of war with Germany. In view of this, the groundlessness of the arguments concerning some sort of rights for the continuation of the occupation contained in the note of the Government of the United States of America is thoroughly obvious.

In the light of the facts set forth it is not difficult to understand that, on the part of the Soviet Union, the question is not that of a one-sided denunciation of the Berlin agreement, as the Governments of

the three Western powers are attempting to represent it, but only of the logical conclusion from the situation which has arisen, that is, a situation which is characterized by the ending of the occupation of Germany and by the flagrant violation by the Western powers of the obligations which they undertook at the end of the war.

The Government of the United States of America states in its note that the Western powers received rights to Berlin also because they "allowed" the Soviet Union to occupy various areas of Germany taken by American and English troops in the course of the war. That affirmation is nothing else than a flagrant distortion of the facts. Certainly, everyone knows well that the understanding on the areas of occupation of Germany was already reached during the course of the war, when it was not possible to foresee whose troops would be the first to reach these areas. Along with this, it is essential to recall that at the moment of the ending of the war in Germany, Soviet troops found themselves not only in Germany, but also on the territory of many countries, specifically in Austria. However, the Soviet Union never raised the question of any kind of compensation for the withdrawal of its troops from these territories, just as it did not demand any concessions for the entry of the troops of its allies into areas held by Soviet troops, for example, in Vienna, because to state such claims means to conduct unworthy haggling in regard to foreign territories. One must only be astonished that the Government of the United States of America allows such an approach in regard to such a country as Germany. The Government of the United States of America states that it might be ready to discuss the Berlin question in the broader framework of negotiations for the settlement of the German problem, including the unification of Germany as well as of the problem of European security.

The Soviet Government has already more than once indicated that there can be no kind of meeting of representatives of the four powers for consideration of the question of the unification of Germany, for this question does not lie within the competence of the U.S.S.R., the United States of America, England, and France. Negotiations of the four powers regarding the unity of Germany were entirely legal in the occupation period, when these powers carried out the functions of administration and control in Germany. At the present time, when the occupation is a passed stage, and (when) two independent German states have arisen on the territory of Germany, the question of the reunification of Germany has become an internal German problem, which can be decided only by means of a rapprochement and agreement between these states.

As far as the problem of European security is concerned the Soviet Government attaches tremendous importance to its solution. It has on more than one occasion come forward with proposals aimed at the creation of a system of measures for the guaranty of security in Europe. It is sufficient to recall such proposals as that for the conclusion of a nonaggression agreement between states in the North Atlantic bloc and in the organization of the Warsaw Treaty, as that for the withdrawal of foreign troops from the territory of Europe, and also as that for the support by the Soviet Union of the proposal of Poland to create a zone in Central Europe free from atomic weapons. The Soviet Government is convinced that the problem of

European security requires special discussion and cannot be mixed in with other questions, including with that of Berlin. It is pertinent to say that the Government of the United States of America in its note has not mentioned ways for assuring European security acceptable to the interested states. Under such circumstances it is impossible to avoid the impression that, by making the solution of such questions dependent on one another, as, for example, that of Berlin and that of European security, the Government of the United States is clearly trying to complicate the adoption of agreed decisions on both matters.

The Soviet Government is striving to settle the Berlin question by means of negotiations between the interested states. It is convinced that its proposal about the declaration of West Berlin as a demilitarized free city creates a healthy basis for an agreement, for it is responsive to the general interests of the strengthening of peace in Europe. At the same time, the implementation of the Soviet proposal does not affect the prestige and does not do damage to the security interests of any state, just as it does not give one-sided profits and advantages to anyone.

The Soviet Government, of course, is far from considering its proposal about a free city for West Berlin as excluding any additions and amendments. It would willingly consider appropriate proposals on this question on the part of the other powers, having in mind that such proposals will be directed toward the liquidation of the occupation regime in West Berlin and the strengthening of peace in Europe.

The refusal of the Western powers to conduct negotiations with the Soviet Union in the interests of the normalization of the position in Berlin will not, of course, stop the Soviet Union halfway from its goal, which has been advanced by life itself and insures the stability of the situation and calm in the center of Europe. No one can prevent the Soviet Union from divesting itself of the functions being carried out in relation to Berlin and its communications with West Germany, and from settling the questions arising in connection with this by means of agreements with the German Democratic Republic.

Summing up what has been said the Soviet Government, besides the proposal about the calling of a peace conference, proposes also to discuss with interested states the question of Berlin. If, however, the Western powers consider it expedient before the calling of a peace conference preliminarily to exchange opinions with the Soviet Union about the content of a peace treaty, then the Soviet Government will be agreeable to that. In this case it will be essential to insure the appropriate participation of the German Democratic Republic and the Federal Republic of Germany as the states directly interested in the conclusion of a German peace treaty.

The Soviet Government expresses the hope that the Government of the United States of America will study with the necessary attention the proposals brought forward and also the attached draft of a peace treaty with Germany and on its part will make efforts in order that the peace conference will be able to cope successfully with its responsible task.

Together with this it would like to believe that the Government of the United States of America, recognizing the abnormality of the preservation of the occupation regime in West Berlin, will draw

the necessary conclusions from the situation which has arisen and will help in the settling of the Berlin question as the interests of the consolidation of peace in Europe and the whole world demand.

### SOVIET DRAFT PEACE TREATY WITH GERMANY

The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the French Republic, Australia, the People's Republic of Albania, Belgium, the Byelorussian Soviet Socialist Republic, the People's Republic of Bulgaria, Brazil, the Hungarian People's Republic, Greece, Denmark, India, Italy, Canada, the Chinese People's Republic, Luxembourg, the Netherlands, New Zealand, Norway, Pakistan, the Polish People's Republic, the Rumanian People's Republic, the Ukrainian Soviet Socialist Republic, Finland, the Czechoslovak Republic, the Federated People's Republic of Yugoslavia and the Union of South Africa, as states which participated with their armed forces in the war against Germany, designated hereafter as "the Allied and Associated Powers," on the one part, and Germany, represented at the present time by the German Democratic Republic and the Federal Republic of Germany (or, in the event that a German Confederation is formed prior to the signing of the peace treaty, the German Confederation, and also the German Democratic Republic and the Federal Republic of Germany), on the other part.

Noting that the further maintenance of the deeply abnormal situation under which foreign troops continue to remain on German territory in the 14th year after the cessation of military action cannot be justified, and the German nation continues to be deprived of the possibility of exercising completely its state sovereignty, of maintaining equal relations with other states and is outside the United Nations,

Being governed by the desire to carry out under existing conditions the basic provisions contained in the documents of the anti-Hitler coalition and in particular the Potsdam agreement;

Considering that the absence of a peace settlement does not permit the assurance of a just regard for the legitimate national interests of the German people and to a considerable extent contributes to a strengthening of tension and instability in Europe;

Being united in their intention to finally draw a line under the war which was unleashed by Hitler's Germany and which brought incalculable calamities and suffering to many peoples, including the German people;

Recognizing that during the years which have passed since the cessation of hostilities, the German people has demonstrated in many ways that it condemns the crimes which were committed against the people of Europe as a result of the aggression unleashed by German militarism;

Firmly resolved not to permit Germany to threaten its neighbors or other states and unleash a new war at any time again;

Wishing to secure for Germany the possibility of peaceful and democratic development and its fruitful cooperation with other states as an equal member of the family of nations;

Convinced that the conclusion of the peace treaty will have exceptionally important significance for guaranteeing security in Europe and strengthening peace throughout the world;

Considering that the conclusion of a peace treaty with Germany is a necessary and important step in the direction of the restoration of the national unity of Germany;

Have decided to conclude the present peace treaty and with this objective have designated the undersigned as their plenipotentiary representatives, who, after the presentation of their full powers, which have been found to be in complete order and proper form, have agreed to the following provisions:

## PART 1: POLITICAL AND TERRITORIAL PROVISIONS

### I. PEACE AND PEACEFUL RELATIONS

#### *Article 1*

The Allied and Associated Powers, on the one part, and Germany, on the other, state and affirm the cessation of a state of war and the establishment of peaceful relations between themselves, according with which all the political and judicial consequences growing from this will ensue from the moment of the entry into force of the declaration or decree of each of the Allied and Associated Powers.

#### *Article 2*

Pending the unification of Germany in one or another form the expression "Germany" in the present treaty will be understood to include the two existing German states—the German Democratic Republic and the Federal Republic of Germany—and all the rights and obligations of Germany, foreseen in the treaty, will relate to the German Democratic Republic, as well as to the Federal Republic of Germany.

#### *Article 3*

The Allied and Associated Powers recognize the full sovereignty of the German people over Germany, including its territorial waters and airspace.

#### *Article 4*

1. The Allied and Associated Powers declare that they will construct their relations with Germany on the basis of observance of the principles of respect for the sovereignty and territorial integrity of Germany, nonintervention in its internal affairs, nonaggression, equality, and mutual benefit, and also on the basis of the provisions of the present treaty.

Germany will be governed by the same principles in its relations with all countries.

2. Germany takes upon itself the obligation to solve its international disputes only by peaceful means in such a way that it will not threaten international peace and security. Germany also obligates

itself in its international relations from threat of force or its application against the territorial inviolability or political independence of any state and also not to extend any aid or support to another state or group of states, violating international peace and security.

#### *Article 5*

1. Germany obligates itself not to enter any kind of military alliances directed against any state which is a participant in the present treaty, and also not to take part in military alliances the participants of which are not all four principal Allied Powers in the anti-Hitler coalition -the U.S.S.R., the United States of America, the United Kingdom and France.

2. The Allied and Associated Powers will respect the obligation of Germany concerning nonparticipation in military alliances, mentioned in point 1, and will refrain from any actions in relations with Germany which could entail a direct violation by it of this obligation.

3. The Allied and Associated Powers will do everything necessary so that Germany can participate on an equal basis in measures directed toward the strengthening of general European security and the establishment of a system of security in Europe, founded on the joint efforts of the European states.

4. When the present treaty goes into force, Germany—the German Democratic Republic and the Federal Republic of Germany—will be considered relieved of the obligations connected with membership respectively in the organizations of the Warsaw Pact and the North Atlantic Alliance and the West European Union.

#### *Article 6*

Germany recognizes the full validity of the peace treaties with Bulgaria, Hungary, Italy, Rumania and Finland.

#### *Article 7*

After the present treaty goes into force the Allied and Associated Powers will support the application of Germany for acceptance as a member of the Organization of the United Nations.

### II. BORDERS

#### *Article 8*

The borders of Germany will be as they existed on January 1, 1959. The borders of Germany are shown on the map attached to the present treaty (annex no. 1).<sup>1</sup>

Pending the unification of Germany into one state, the territories of the German Democratic Republic and the Federal Republic of Germany are delimited by the line existing on January 1, 1959, as is shown on the map attached to the treaty (annex no. 1).

<sup>1</sup> Not printed here.

*Article 9*

In accordance with the Potsdam agreement of 1945:

A) Germany renounces all rights, legal grounds and claims to the former German territories to the east of the line proceeding from the Baltic Sea slightly west of Swinemunde and from there by the Oder River to its entrance into the western Neisse and by the western Neisse to the Czechoslovakian border, including the territory of the former East Prussia as well as the territory of the former city of Danzig which has passed under the sovereignty of the Polish People's Republic, which (sovereignty) Germany recognizes.

B) Germany renounces all rights, legal grounds and claims to the former city of Koenigsberg and the district belonging to it which have passed under the sovereignty of the U.S.S.R., which (sovereignty) Germany recognizes.

*Article 10*

Germany recognizes the invalidity of the Munich agreement with all the consequences flowing from it and declares that it will forever recognize the territory of the former so-called Sudeten region as the inviolable constituent part of the territory of the Czechoslovak Republic.

*Article 11*

Germany recognizes that the territory of Alsace-Lorraine is a constituent part of the French Republic.

The Saar district forms a part of the territory of Germany.

*Article 12*

Germany confirms and recognizes the changes and delimitations of its borders carried out according to the agreements concluded with its neighbor states in the period from May 1945 to January 1, 1959.

**III. GERMANY AND AUSTRIA***Article 13*

1. Germany recognizes the full validity of the state treaty concerning the restoration of an independent and democratic Austria of May 15, 1955 and the prohibition of Anschluss contained in it.

2. In accordance with this Germany will respect the sovereignty and independence of Austria and renounces all territorial and political claims in connection with Austria and Austrian territory.

3. Germany recognizes and obligates itself to respect the permanent neutrality of Austria in the form in which it was defined by the Federal constitutional law of Austria adopted by the Austrian Parliament on October 26, 1955.

4. For the purpose of preventing the threat of Anschluss, a political or economic union between Germany and Austria is forbidden. Germany fully recognizes its responsibility in this question and will not

enter into a political or economic union with Austria in any form whatsoever.

Germany must not conclude any agreement whatsoever with Austria, undertake any actions or carry through any measures which directly or indirectly may promote its political or economic union with Austria, or cause injury to the territorial integrity, political or economic independence of Austria.

Germany further obligates itself not to permit on its territory any actions which directly or indirectly may promote such a union and it must prevent the existence, rebirth and activity of any organizations having as their goal the political or economic union with Austria and propaganda promoting union with Austria.

#### IV. THE FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL

##### *Article 14*

1. Germany obligates itself to undertake all measures necessary to guarantee that all persons located under German jurisdiction without regard to race, sex, language, religion, nationality, origin or political convictions should enjoy the rights of the individual and the fundamental freedoms, including personal freedom, freedom of speech, of the press and publication, of religious belief, of political views, of association and public assembly.

2. Germany also guarantees that the laws in force on its territories either in relation to their content or their enforcement should not institute discrimination or entail discrimination for persons of German citizenship on the basis of their race, sex, language, religion, nationality, origin, political convictions, or party membership, as well as that relating to their person, property, occupation, professional or financial interests, status, political or citizenship rights as well as any other questions.

3. Past membership of any person who is a German citizen in the National Socialist Party or in organizations affiliated with it or under its control cannot be the basis for a limitation of the rights and freedoms provided for in paragraph 1 if such person is not limited in rights by the decisions of judicial organs.

4. Persons of German nationality resettled in Germany from other countries in accordance with the decisions of the Potsdam conference of 1945 enjoy on the territory of Germany all the rights mentioned above in paragraph 1 without any discrimination whatsoever as equal German citizens.

##### *Article 15*

Any persecution or oppression of any person whatsoever by German authorities or citizens is forbidden on the basis that in the period of the Second World War such person undertook actions in favor of the Allied or Associated Powers or expressed sympathy for their cause, or equally on the basis that in the period before the entrance into force of the present treaty such person committed acts designed to ease the fulfillment of the common decisions of the U.S.S.R., the United States of America, the United Kingdom and France concerning Germany or any other proclamations, laws, decrees or instructions issued on the basis of these decisions.

## V. POLITICAL PARTIES OR OTHER ORGANIZATIONS

*Article 16*

Germany guarantees the free activity of political parties or other organizations with the exception of parties or organizations provided for in articles 13, 17 and 18, with the granting to them of the right freely to decide their internal affairs, to conduct meetings and assemblies and to use the freedom of the press and publication.

*Article 17*

Germany obligates itself not to permit under threat of criminal punishment the rebirth, existence and activity on the territory of Germany of the National Socialist Party or the organizations which were affiliated with it or came under its control, including political, military and paramilitary organizations, as well as the revival and activity of other similar parties or organizations and in particular revanchist parties and organizations putting forward demands for reconsideration of the borders of Germany or making territorial claims against other states.

*Article 18*

Germany obligates itself to dissolve and under the threat of criminal punishment not to allow on its territory the existence and the activities of any type of organization, including emigrant, carrying on hostile activity against any of the Allied and Associated Powers. Germany will not grant political asylum to persons belonging to the membership of the above-mentioned organizations.

## VI. OTHER PROVISIONS

*Article 19*

Germany recognizes the sentence of the International Military Tribunal in Nuremberg and the sentences of other courts for crimes stipulated by the statutes of this tribunal carried out within as well as without the boundaries of Germany.

*Article 20*

Germany obligates itself not to permit in any form propaganda having the aim or capable of creating or strengthening the threat to peace, violation of peace or act of aggression, including war propaganda and also any form of revengeful move demanding a revision of the borders of Germany, or asserting territorial claims against other countries.

*Article 21*

1. Germany will render every kind of assistance in the repatriation to their homeland of citizens of the Allied and Associated Powers who found themselves on the territory of Germany as a result of the war.

2. On their part, the Allied and Associated Powers in those cases where this has not already been accomplished will render the same assistance in the repatriation to Germany of German citizens who found themselves on the territory of the Allied and Associated Powers as a result of the war.

3. The Allied Powers obligate themselves insofar as this has not already been accomplished by them, in the course of 6 months after the entry into force of the present treaty, to return to Germany all German specialists removed by compulsion during the war and after the end of the war. The conditions of this article do not extend to those persons who left Germany by their own desire.

## PART 2: PROVISIONS RELATING TO THE REESTABLISHMENT OF THE UNITY OF GERMANY

### *Article 22*

The Allied and Associated Powers acknowledge the right of the German people to the reestablishment of the unity of Germany and express readiness to render to both German states every assistance in the achievement of this aim on the basis of a rapprochement and of understanding between the German Democratic Republic and the Federal Republic of Germany. Both German Governments equally as well as the Allied and Associated Powers regard the present treaty as an important contribution to the matter of the unification of Germany in accordance with the national aspirations of the German people and also with the interests of the guaranteeing of security in Europe and in the entire world.

### *Article 23*

Considering that any attempt to solve the question of the unification of Germany with the help of force would be fraught with the (danger of) outbreak of war involving countless disasters for the peoples of Europe and first of all for the German people themselves, the German Democratic Republic and the Federal Republic of Germany solemnly take upon themselves the obligation never to resort to force or to the threat of the use of force for the achievement of the unification of Germany and will decide by peaceful means any disputes which can arise in relationships between them.

### *Article 24*

After the reestablishment of the unity of Germany, the present treaty remains in force and its provisions will extend to the unified German state.

### *Article 25*

Until the reestablishment of the unity of Germany and the creation of a unified German State, West Berlin will be in the position of a demilitarized free city on the basis of its own special statute.

## PART 3: MILITARY PROVISIONS

*Article 26*

Germany will have its own national armed forces (land, air, and naval) necessary for guaranteeing the defense of the country.

*Article 27*

Service in the armed forces will not be permitted:

- (A) To individuals condemned by courts of countries in a state of war with Germany or by German courts for crimes against the peace, and against humanity, and for military crimes;
- (B) individuals not having German citizenship; and (C) individuals not of German nationality who found themselves on the territory of Germany in the course of and after the end of the war, regardless of whether or not as a result of this German citizenship was acquired.

*Article 28*

Germany must not possess, produce, acquire, or experiment with (A) any types of nuclear armament and other means of mass destruction, including biological and chemical; (B) any types of rockets and guided missiles and also apparatus and installations connected with their launching or guidance; (C) airplanes designed basically as bombers with apparatus for the carrying of bombs and missiles; (D) submarines.

*Article 29*

Germany must not possess, produce, or acquire either in a state or in a private manner or in any other way military materials and technology or maintain productive capacities for their preparation in excess of that which is demanded for the maintenance of the military forces permitted by article 26 of the present treaty, and also to export from the territory of Germany to other countries any military materials and technology.

*Article 30*

All foreign troops in Germany must be withdrawn from Germany not later than within 1 year from the date of entry into force of the present treaty.

(Or: After the entry into force of the present treaty, all foreign troops in Germany must be withdrawn from Germany in periods which will be agreed on between the interested parties, along with which during the 6 months from the moment of the entry into force of the treaty, the numbers of foreign troops stationed on the territory of Germany will be reduced by one-third.)

Simultaneously with the withdrawal of foreign troops from Germany all foreign military bases on the territory of Germany must be liquidated.

In the future, Germany will not allow the placing of any foreign armed forces and foreign military bases on its territory.

*Article 31*

Germany obligates itself to respect, protect, and maintain on German territory the graves of military personnel, prisoners of war, and citizens of powers in a state of war with Germany who were forcibly transported into Germany, the tombstones and emblems on these graves, and, equally, the memorials of the military glory of the armies which fought against Hitlerite Germany.

The Allied and Associated Powers will, for their part, assure the care of the graves marked on their territories of the military personnel of Germany.

**PART 4: ECONOMIC PROVISIONS***Article 32*

No limitations are imposed on Germany in the development of its peace-economy which should serve the growth of the well-being of the German people.

Germany will also not have any limitations in regard to trade with other countries, in navigation, (and) in access to world markets.

*Article 33*

After the withdrawal of foreign troops from the territory of Germany, any German property which the armed forces of the foreign states on the territory of Germany have been using and for which compensation has not been given must be returned to the owners or suitable compensation be given for it.

*Article 34*

1. Germany, in those cases where this has not yet been done, will restore the lawful rights and interests of the Allied and Associated Powers and their citizens in Germany as they existed on September 1, 1939, and for the Czechoslovak Republic and its citizens, on September 30, 1938, and will return the property of the Allied and Associated Powers and their citizens or will give compensation. The rules and conditions of the realization of the clauses of the present article will be determined by special agreements between Germany and the interested states.

The expression "property" means movable or immovable property, material or nonmaterial, including industrial, literary, and artistic property, and also rights and interests of all kinds in property.

2. The existence of a state of war will not in itself be considered a factor influencing the obligation to pay off monetary debts flowing from obligations and contracts which existed before the arising of a state of war.

3. Germany takes the obligation on itself not to permit any discrimination in regard to the satisfaction of claims for compensation for damage toward citizens of the Allied and Associated Powers regardless of the character of the compensation due, and also of the organization or institution meeting the claim.

*Article 35*

Germany recognizes the rights of any Allied and Associated Power to German foreign assets transferred to that power by virtue of agreements between the U.S.S.R., the United States of America, the United Kingdom, and France.

Germany recognizes the provisions regarding German foreign assets in Austria contained in the state treaty for the restoration of an independent and democratic Austria.

*Article 36*

1. Germany renounces in its name or in the name of German organizations and citizens all claims of any character against the Allied and Associated Powers, their organizations and citizens, connected directly with the war or flowing from measures undertaken by virtue of the existence of war in Europe after September 1, 1939, regardless of whether the Allied and Associated Power concerned was at that time in a state of war with Germany or not. This renunciation of claims includes, in particular, the following:

A) Claims in connection with losses or damage inflicted as the result of the actions of the armed forces or authorities of the Allied and Associated Powers;

B) Claims flowing from the presence, operations, or actions of the armed forces or the authorities of the Allied and Associated Powers on German territory;

C) Claims in regard to decisions or orders of the prize courts of the Allied and Associated Powers, along with which Germany recognizes as effective and binding all the decisions and orders of such courts issued after September 1, 1939 regarding German maritime and river vessels or German cargoes or payment of expenses;

D) Claims flowing from the implementation of the rights of the warring party or from measures adopted with the aim of implementing those rights.

2. The renunciation by Germany of claims in accordance with paragraph 1 of the present article includes any claims flowing from measures adopted by any of the Allied and Associated Powers in regard to German maritime and river vessels after September 1, 1939, and also any claims and debts flowing from international conventions in force concerning prisoners of war.

3. The provisions of the present article must fully and finally exclude all claims of the character noted above which will be extinguished henceforth regardless of who is the interested party. The Government of Germany agrees to pay out fair compensation in marks to persons who gave supplies or services on requisition to the armed forces of the Allied and Associated Powers on German territory, and also for the satisfaction of claims which have arisen on German territory for nonmilitary damages presented to the armed forces of the Allied and Associated Powers.

*Article 37*

Germany renounces all claims of a state character, claims of public German juridical persons, claims of German private juridical persons,

and of German citizens connected with the territories which have been returned to other states and which have been transferred to their sovereignty.

#### *Article 38*

The states to which has passed sovereignty over part of the former territory of Germany do not bear responsibility for the obligations arising from the debts of the German state, of German municipalities, and of German public institutions, and for other public legal and private legal questions which arose before May 8, 1945 and which are connected with this territory.

#### *Article 39*

1. Germany agrees to enter into negotiations with any Allied and Associated Power and to conclude treaties or agreements on trade and navigation after having given to each Allied and Associated Power, on the basis of reciprocity, the conditions of the most favored nation.

2. Germany will not permit discrimination and artificial limitations in any matter that concerns its trade with the Allied and Associated Powers. On their part, the Allied and Associated Powers will adhere to the same principle in trade with Germany.

3. Germany will not grant any exceptional or discriminatory rights to any country whatsoever in regard to the use within the limits of its boundaries of commercial aircraft in international transport; it will grant the Allied and Associated Powers, on the basis of reciprocity, equal opportunities for obtaining rights on German territory in the field of international commercial aviation, including the right of landing for fueling and repair. These provisions must not affect the interests of the national defense of Germany.

#### *Article 40*

Germany obligates itself to grant Austria the right of unhindered transit and communication without the collection of customs duties and taxes between Salzburg and Lofer (Salzburg) via Reichenhall Steinpass and between Scharnitz (Tyrol) and Ehrwald (Tyrol) via Garmisch-Partenkirchen.

### PART 5: REPARATIONS AND RESTITUTIONS

#### *Article 41*

The question of the payment by Germany of reparations in compensation for the injury done by it to the Allied and Associated Powers during the war is considered to be settled in full and the Allied and Associated Powers renounce any claims against Germany in relation to the further payment of reparations.

#### *Article 42*

Germany, in those cases where it has not yet done so, obligates itself to return, in proper safekeeping, identified objects having artistic, historic, or archeological value which compose part of the cultural prop-

erty of the Allied and Associated Powers and which were removed from their territory to Germany by force or by compulsion.

Demands concerning the restitution of the said articles can be presented in the course of 12 months from the entry into force of the present treaty.

Germany will transmit also to those states to whom were returned or under the sovereignty of which passed parts of former territories of Germany all historical, judicial, administrative and technical archives together with maps and plans relating to these territories.

## PART 6: CONCLUDING PROVISIONS

### *Article 43*

From the moment of the entry into force of the present peace treaty, Germany is freed of all obligations under international treaties and agreements concluded by the German Democratic Republic and the Government of the Federal Republic of Germany before the entry into force of the present treaty which are in contradiction to the provisions of the peace treaty.

### *Article 44*

Any dispute relating to the interpretation or the fulfillment of the present treaty not settled by means of direct diplomatic negotiations or by another method according to an agreement between the disputing sides must be presented to a commission consisting of representatives of the Soviet Union, the United Kingdom, the United States of America, France, the German Democratic Republic, and the Federal Republic of Germany. In the case of failure to reach an agreement in the commission on the question of the solution of such a dispute in the course of 2 months, this dispute will, if the disputing sides do not come to a mutual agreement about other methods for its settlement, be transmitted to a commission composed of one representative from each side and a third member chosen by mutual agreement between the two sides from citizens of third countries.

### *Article 45*

1. The present treaty must be ratified and will enter into force immediately after the handing over for custody of the documents of ratification of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, France, and Germany. In relation to each state which subsequently ratifies the present treaty or adheres to it, it will enter into force from the day of the handing over for custody by this state of the document of ratification or of adherence.

2. If the treaty does not enter into force during the course of 10 months after the handing over for custody of the documents of ratification of Germany, any state which has ratified it can put the treaty into force between itself and Germany by notification of this to Germany and to the depositary state during the course of 3 years after the handing over for custody of the documents of ratification of Germany.

*Article 46*

Any state in a state of war with Germany but which is not a party that has signed the present treaty can adhere to this treaty.

*Article 47*

The treaty does not give any rights, legal grounds, or benefits to states which are not a party to the present treaty, and no rights, legal grounds, or interests of Germany will be considered infringed on by any provisions of the present treaty in favor of such states.

*Article 48*

The present treaty, and also all documents of ratification and adherence must be handed over to the custody of the Government of \_\_\_\_\_, which will distribute true copies of the treaty to each of the signatories of the treaty or of the states which have adhered to it, and which will also report to these states about all ratifications and adherences.

In certification of this, the undersigned plenipotentiary representatives have signed the present treaty and affixed their seals.

Done in \_\_\_\_\_ in the Russian, English, French, and German languages, in which all texts are equally authentic.

*Remarks at News Conference by Secretary of State Dulles, on Germany, January 13, 1959<sup>1</sup>*

[Extracts]

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Q. Mr. Secretary, how about the proposals which were made at the Foreign Ministers' meeting which followed the Geneva Summit meeting of 1955? Do those still stand in your view or would they have to be reviewed in the light of the present conditions?

A. There are certain basic aspects of those proposals which I think remain valid and I would expect that they would continue to survive because of their basic validity. The basic proposition, as I recall, was; first, that Germany ought to be reunified; secondly, we could not expect reunification under conditions which would involve, or seem to involve, the Soviet Union in increased risks or losses. Therefore, it would be appropriate to couple any reunification of Germany with security provisions and limitations which would make sure that the Soviet Union would not, through the reunification, seem to have weakened its strategic or political position.

Q. Mr. Secretary, Mr. Mikoyan seems to have made quite an impact on American influential business people around the country. I wonder if you could tell us whether you have any concern about this impact in terms of future policy toward the Soviet Union.

A. I have not myself had any direct reports from any of these business people that you speak of to confirm what has been the nature of

<sup>1</sup> Department of State press release 28, January 13, 1959.

the impact that he made. He does speak, particularly through his interpreter, in terms that are appealing in many respects. I think that probably the talks have been good because I think that they have also given him some impression about our feeling and our unity about questions of Berlin and the like. I would think on that balance, as far as I can now judge, it has served a constructive purpose.

Q. Mr. Secretary, do you gather from last week's conversation with Mr. Mikoyan that an impelling reason behind his visit and the last two notes was a fear of West German rearmament?

A. It is very hard to judge what the purpose or purposes of his visit are. There may be, probably are, several purposes—not a single purpose. I do think that there is genuine and understandable concern on the part of the Soviet Union about the future of Germany. And there are two very basic philosophies on that subject—one that of the Soviet Union, one that of the Western powers. And it's very difficult to reconcile those two philosophies. I hope perhaps that in the further talks we have we can at least get to understand each other a little better on that subject.

Q. Mr. Secretary, a moment ago when you were referring to the assumptions of the 55 Foreign Ministers meeting you spoke of German reunification without using the other part, the assumption of re-unification on the basis of free elections. I ask about that especially since Mikoyan is quoted this morning as having said yesterday, "You're arming Germans with atomic weapons to be used against us and you're demanding free elections. One is not compatible with the other." Is there any change in the free elections part of that proposal, or is that something that is negotiable in terms of reunification, if that is attainable?

A. We believe in reunification by free elections which was indeed the formula that was agreed to at the "Summit" conference in 1955. It was agreed to by Khrushchev himself who was of course a participant in that conference. There they spoke of the reunification of Germany by free elections consistent with the German national interests and European security. That is approximately the language of the agreement.

Q. Mr. Secretary, has there been any hint dropped to you by Mr. Mikoyan or any other Soviets that the Russians would now like a new meeting between the President and Mr. Khrushchev?

A. No. I have heard no suggestion to that effect.

Q. Mr. Secretary, what's your reaction, what's the United States' reaction to the Soviet proposal of last weekend for a peace conference to draft a new peace treaty for Germany?

A. That proposal highlights what I just referred to as the two different philosophies about dealing with Germany. The Soviet Union has consistently believed that Germany should be isolated, segregated, to a large extent demilitarized and neutralized and separated from close association with the neighboring countries.

We don't believe that that is a sound approach to the problem. On the contrary, we take the view that Germany and the German people are too great, vigorous and vital a people to be dealt with in that way and that that way is fraught with very great danger for the future. We believe that the future is best served by encouraging the closest possible relations between Germany and other Western

European countries which are peace-loving and having such a close integration, military, political, economic, that independent, aggressive, nationalist action by Germany becomes as a practical matter impossible and also something that would not be desired.

Now, that has been the basic philosophy not only of this Administration but of the preceding Administration. It was reflected by the EDC (European Defense Community) and when the EDC proved impractical, the basic philosophy was carried forward in terms of the Brussels Treaty for Western European union, the bringing of the Federal Republic into NATO, integration of its forces in that way, the further development of economic unity through adding to the Coal and Steel Community, the Common Market, EURATOM, and measures of that sort with their common Assembly behind them. We believe that that is the proper way to deal with the German problem.

Now, as I say, that reflects a philosophy which is totally different from that of the Soviet Union. And the Soviet proposal of this peace treaty, which is similar to the proposals made in '52 and also again in '54 reflects the Soviet approach. As Adenauer said yesterday, it's a "brutal" approach. But it's in our opinion worse than a brutal approach, it's a stupid approach, because we don't think it will work. We believe the other approach is the sound one. Now, whether we can on that basis reach a meeting of minds with the Soviet Union, I don't know.

Q Mr. Secretary, pursuing that same subject, is the American position on the reunification of Germany by free elections totally incompatible with a peace treaty which would to a degree limit German rearmament and German participation in military pacts?

A We, of course, have in the Brussels Treaty for European Union very definite limitations on German armament which have been freely accepted, to some extent indeed proposed, by the Germans themselves, the Federal Republic of Germany. So that the concept of having limitations is not a concept which is in any way alien either to our thinking or to the thinking of the Federal Republic itself.

Now, you speak about military pacts. I don't think of these things as military pacts. I think of them as collective associations where people work together for peace and security where they consult together, where they exchange views about their foreign policies, their political programs and the like. The idea that these collective security associations are aggressive military alliances which are bad is a concept which we reject totally. We believe that this type of association of nations coming together for collective security is the modern way whereby the family of nations gets the same kind of association that you get within a community where people associate together for their security through common institutions.

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Q Mr. Secretary, Mr. Mikoyan has been reported by several sources as having emphasized that the Soviet proposal to make West Berlin a free city should not be regarded as an ultimatum. Can you tell us whether this is so and whether at the same time the Soviets have indicated any willingness to stop their plan for turning over their zone to the East Berliners and the East Germans sometime in June?

A. It has been made clear that there was no intention on the part of the Soviet Union to have their note treated as an ultimatum with a fixed time limit. And that is encouraging, because, as the Western allies said in their note of the end of December, we would find it very difficult indeed to negotiate under that kind of an ultimatum. So to that extent some progress has been made.

I would not say that there has been any indication, as far as the substance of the matter is concerned, of any alteration in the Soviet position.

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Q. Mr. Secretary, going back to the German question, in an effort to bring the two political philosophies together I believe at one time you undertook to reassure the Soviet Government that if it accepted free elections in Germany, the West would guarantee that it would not seek to push its defense line farther to the east. Would you spell out that idea and indicate to us how this assurance would be made positive?

A. That was part of the concept as I recall that was put forward in '55, although perhaps not as clearly or as dramatically as might have been done. In part it has been covered by my answer to a prior question where I said that I do not think that it is reasonable to expect that the Soviet Union will give up positions which it has, if it thinks that by doing so it may be giving a strategic military advantage to those whom it regards—I think wrongly, but nevertheless which it regards—as potential enemies. We just can't expect that to happen. Therefore, if there is going to be any reunification of Germany, it has got to be under conditions which take into account realistically some of those very elemental, primitive facts of life. It was in order to meet that point of view that we tried to give reassurances to the Soviet Union along those lines, and it is still my view that we should be prepared to do that.

Q. In addition to that, would you recall for us what your position was on the proposal of Sir Anthony Eden at Geneva for the thinning out of troops and for some linking of the Warsaw with the NATO Pact?

A. I don't recall just what Sir Anthony Eden's proposals were in that respect. I think that we recognized that if events should move along the lines of the reunification of Germany, under these conditions there would almost automatically come about a lessening of the military requirements in the Western area and a consequent reduction of forces there. As far as the linking of the Pacts was concerned, I don't think that that was ever proposed. At least, that is not my recollection. I think what was proposed was an overriding European security pact which would embrace perhaps the members of both NATO and the Warsaw Pacts and which would contain assurances that if any one of the group should take aggressive action against the other, all of the other members would unite to come to the defense of the victim of attack. That would be a sort of an overriding European security proposal which would be superimposed upon the Warsaw Pact and the NATO powers.

Q. What is your position on that at the present time?

A. I still hold the view that that would be a sound way in which to proceed.

Q. Mr. Secretary, would you be willing to have the present East Germany demilitarized as part of such a settlement with Russia if they agreed to a reunification? In other words, keep East or West German troops out of that part of the country?

A. Well, something along that line is implicit in the suggestion that has been made. Of course, you have got to have ordinary police forces, forces to maintain law and order and internal security. But the proposal that was made earlier and which has been discussed here already did imply that the military position of the Western powers, NATO, should not be pushed forward into East Germany if there should be reunification.

Q. Mr. Secretary, if you say you are not negotiating bilaterally with Mr. Mikoyan during this visit, how do you propose to negotiate all these aspects of the German question that we have been discussing, or in fact do you propose to negotiate them?

A. Well, we have made a proposal to negotiate on the question of the reunification of Germany, Berlin, and European security. That proposal was made in our December 31st note. The Soviets have said that they are prepared to negotiate on the question of Berlin and on the question of a German peace treaty but not on the question of German reunification or at the same time on the question of European security.

Now there seems to be one common denominator which runs through all this, which is there seems to be a desire on both sides to get together and talk. There is not a meeting of minds as to what we talk about. There seems to be a sharp difference of opinion as to what we talk about, but there is at least a common denominator, I think, in terms of a feeling that there should be discussions. You might say that it has gotten down to the point where it is a matter of agenda. We know that the question of agenda can be a very serious stumbling block in the way of meetings. It was so at the time of the Palais Rose conference (Paris Session of Deputies of Council of Foreign Ministers, March 5-June 21, 1951) and it has been a stumbling block in the way of a Summit meeting.

Q. But in Berlin in 1954 you accepted the Soviet agenda at the outset. It really made no difference in the substance of the talks. In this case would you be willing to accept perhaps the single word "Germany" as an agenda?

A. I think that our ideas as to the possible subject of discussion are broad. It is the Soviet Union that is trying to narrow the subject of discussion. We would not be alarmed by the broadness of the agenda. The only thing that alarms us would be the narrowness of the agenda. To have a meeting which tried to deal with the question of a peace treaty and Berlin without being able at the same time even to discuss the question of the reunification of Germany or the question of European security seems to us unrealistic. It was recognized in the Geneva Summit meeting directive that there was a close interrelationship between the question of Germany and European security. We still believe that there is that interrelationship. So what concerns us would be not the broadening of the agenda but being debarred from discussing what we considered to be vital things by a narrowing of the agenda before the talks start.

Q. Mr. Secretary, is it our position that free elections are the only method of reuniting Germany? In other words, do we say, "No free elections, no reunification"?

A. Well, we never have said that. The formula of reunification by free elections was the agreed formula. It seems to us to be a natural method. But I wouldn't say that it is the only method by which reunification could be accomplished.

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Q. Mr. Secretary, to clarify an earlier answer that you made, you said that "free elections are the natural method for unifying Germany, but it is not the only method." Could you tell us what other methods there might be which could be acceptable to us and the West Germans and our Allies?

A. No, I wouldn't want to speculate about that. There are all kinds of methods whereby countries and peoples draw together, and I merely said that I did not feel that we should treat any one method as an absolutely exclusive one.

Q. Mr. Secretary, when you said that the Soviet plan for Germany is "stupid" because it wouldn't work, in what sense did you mean it wouldn't work? What bad result did you see flowing from it?

A. I believe that if you try to isolate and segregate a great people like the Germans in the center of Europe that they will become a restive and dangerous force; they will attempt to gain advantages to themselves by trying to play off the East against the West. I don't think that you can put the Germans within the kind of a smothering blanket that the Soviet Union has in mind and expect that that will hold. That, in a way, was the approach of the Treaty of Versailles, and it just didn't work. And I don't think it will work again. I think that a so-called "neutralized" and largely demilitarized Germany, attempted to be demilitarized in the middle of Europe, is just something that won't work, and that, instead of trying to isolate Germany the best way is to tie Germany in.

Now, that is the basic thesis of Adenauer. I believe that Adenauer's claim to greatness rests upon his effort to assure that Germany will not again follow the path which Germany followed in 1914 and again in 1939. He is the one who has invented, you might say, this solution. And I believe it is the most practical and sound solution for those who really want to end for all time the kind of danger that has come from Germany in the past.

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*Remarks at News Conference by Secretary of State Dulles, on Germany, January 27, 1959<sup>1</sup>*

[Extracts]

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Q. Mr. Secretary, there are reports that the West German Government is studying the various angles of possible confederation of East and West Germany. Can you tell us whether the State Department

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<sup>1</sup> Department of State press release 70, January 27, 1959.

is conducting any studies along that line to see if confederation may be a way which one day would lead to free elections in a reunited Germany?

A. I don't like to use a word like "confederation" which has political connotation. "Confederation" can mean almost anything. To a certain extent it can be said that the present Federal Republic represents a confederation. You can have a confederation of one kind or a confederation of another kind. The general question of how to get Germany reunited is a question which I guess all of us are studying and will continue to study.

Q. Mr. Secretary, what is the procedure now ahead on the Western side in relation to the effort to get some formal negotiations started with the Soviet Union?

A. I suppose the next formal step would be the reply to the notes of January 10. Of course, we have already in the earlier communications, made at the end of December, proposed a meeting which would deal with the subject of German reunification, and European security, and the Soviets have countered with their proposal that we should have a meeting to deal with the question of a German Peace Treaty—made with the two different German States—and with the question of Berlin. There is the question as to whether there could be a meeting which would deal broadly with the German question, and I suppose that the possibilities of that will be considered in connection with the reply to the note of January 10. That will be the next order of business, I suppose.

Q. Well, is it your hope, Sir, that some sort of meeting at the Foreign Ministers level, or at some other level, can be arranged this spring with the Soviet Union on all these questions, in the same "pot" so to speak?

A. I would think that it would be timely to have such a meeting. As I say, a meeting along these lines has already been proposed by the Three Western Powers, and has been approved by NATO. A meeting which is closely limited in its agenda so that it can only talk about one or two of many interrelated problems would not be an acceptable form of meeting. I think we would have to be free to talk about these interconnected problems. And we were quite willing to discuss the problem of Berlin within the framework of also discussing reunification of Germany. And the approach of the Western Allies to this matter is that they are willing and think it timely, to have a further discussion about these problems. And the question is whether the Soviet Union will be willing to have a discussion on a broad-enough base to make it worthwhile, or whether they will try to dictate an agenda which would exclude the discussion of what seemed to us to be interrelated matters.

Q. While Mr. Mikoyan was here, Mr. Secretary, he said that if they could not agree on an agenda there should be talks without an agenda! Would you agree to agendaless talks with the Russians?

A. I would assume there would have to be an agenda—at least, in a sense that we would know whether we were going to talk about Germany or the Far East or the Middle East, or what the general subject was. But, aside from that, I don't think that there is any particular point in trying to refine an agenda.

Q. Would a discussion of European security in general in your view include a discussion of the Rapacki Plan, for example, in your opinion, if the Soviets want that?

A. If they wanted to bring that up in that heading, it would be quite permissible for them to do so.

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Q. Mr. Secretary at your last press conference you said in reply to a question that free elections were not the only means by which Germany might be reunified. There was a great deal of subsequent differences of opinion as to just what you meant by this remark. In fact the Department tended to knock it down to some degree, some of the interpretations. Looking back on it, can you tell us what you had in mind?

A. Well, I think to ascertain what I had in mind, it's necessary to recall precisely what the question was. I had said earlier that reunification by free elections was the normal method and the agreed method and represented United States policy. Then I was asked the question, "Does that mean that no free elections, no reunification?" and I said, no, we could not take the position that we would reject reunification merely because it came about by means other than free elections. But I also said later on in answer to another question that we did not at the moment have any alternative means in mind.

Now, anybody who knows history—and the American history is a good example—knows that unifications and reunifications can come about by means other than free elections. The original unification of this country came about through legislative action of the States, not by any general elections. The reunification that occurred in '65 did not come about through free elections. And in the case of the unification of Alaska into our Union, there were general elections in Alaska but there were not general elections held in the United States on that subject.

So our own history illustrates a variety of ways by which unification and reunification can occur. And nobody can say that free elections are the only means by which there can be reunification. I would say that we would all be delighted if you would get a reunification of Germany, an effective reunification of Germany, by any means. But whether there are other means than free elections, I don't know. But you will recall that free elections is the agreed method. That was agreed to at the "Summit" conference.

Q. Well, Mr. Secretary, in the context of the known public Soviet position and the known Western position, is it a fair interpretation to say that you're willing to sit down with the Soviets and discuss all possible ways that they may suggest or we may suggest which might bring about reunification—free elections or otherwise?

A. The essential point, the heart of the matter, is reunification. The method is less essential, as long as it is a method which achieves the result and assures that the result is obviously desired by the people. You don't want to impose anything against the people's will. But the main thing is to get reunification of Germany in freedom, as it has sometimes been put. It was agreed at the "Summit" that the reunification should be brought about by means of free elections. And the Soviet Union agreed to that. That was a tough negotiation. I have never sat through a tougher negotiation than

the secret session at which finally that was agreed to by the Soviet Union, including Mr. Khrushchev himself.

Now, if they want to suggest another method than the method they have already agreed to, it is I think primarily up to them to suggest the alternative and not up to us. We do not relinquish the agreement that we have merely in order to have what may be a kind of a wild goose chase looking for another method. We stand on the agreement that we have. If the Soviets have another method and say, "We don't want to have reunification by free elections but we are willing to have it some other way", we could of course listen to any proposal that they make. But it seems to me the primary responsibility to suggest an alternative rests upon the nation which wants to get out of its present agreement, which is an agreement to do it by means of free elections.

Q. Well, does that mean, Sir, that you do not consider their apparent qualified disposition toward confederation as a new alternative?

A. No, I do not. Quite to the contrary. Both the proposals for confederation and the proposal for a peace treaty with two Germanies are obviously designed not to bring about reunification but to perpetuate the partition, the division of Germany and to formalize it for an indefinite period of time. In other words, I consider them as proposals not for reunification but as proposals for permanent partition.

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Q. Mr. Secretary, you said that the confederation idea, as advanced by the Russians, is unacceptable. Would you consider the confederation idea as constituting an item of negotiation if it were under a different form and there were different safeguards leading to reunification?

A. Well, I said in answer to an earlier question that the word "confederation" covers a very wide variety of political relationships. It can be a relationship between two utterly dissimilar and unrelated areas which tends to perpetuate their division, perhaps only having a surface unity with respect to certain particular matters. Or you can have a confederation which is, in fact, of very considerable progress toward reunification. I said in a sense you can call the present Federal Republic of Germany a confederation. Now I don't like, as I said, to use the word particularly because it has become a word around which emotions revolve. But the matter of finding ways which, in fact, will promote reunification is a matter which, I think, can be and should be studied as resourcefully as possible.

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*Statement by Secretary of State Dulles Before House Foreign Affairs Committee, January 28, 1959<sup>1</sup>*

[Extract]

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\* \* \* \* In 1944-45 there were agreements between the principal Western allies and the Soviet Union on the zones of occupation of

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<sup>1</sup>Department of State press release 71, January 28, 1959.

Germany. Under those agreements the United States and the United Kingdom, at the close of hostilities, relinquished to Soviet occupancy very large parts of Germany on which their armies then stood. As a part of those same agreements they and France received the right to occupy West Berlin, then a mass of rubble, and to have access thereto.

That rubble has been transformed into a dynamic exhibit of what free men can do. As such, its contrast proves irksome and unsettling to the Communist rule of surrounding areas. So the Soviet Union annuls its agreements with us and calls on us to withdraw the small Western garrison which alone assures the confident independence of the brave people of West Berlin. That, according to the Soviet Union, would be a step toward "ending the cold war".

Another step, according to the Soviet Government, would be for us to accept abandonment of the Soviet agreement that German reunification is a responsibility of the four occupying powers and that Germany shall be reunified by free elections.

This was the principal substantive result of the "Summit" Conference of Heads of Government held at Geneva in July 1955. It was achieved only through the toughest negotiation. But finally the Soviet Government agreed that there was a "close link between the reunification of Germany and the problems of European security, and [on] the fact that the successful settlement of each of these problems would serve the interests of consolidating peace". Also the Heads of Government agreed on "recognizing their common responsibility for the settlement of the German question and the reunification of Germany". They also agreed on "the reunification of Germany by means of free elections".

The Soviet Union seems now to have concluded that it is not to its interest that there should be a reunification of Germany, and that two Germanies should be perpetuated. Also it has decided that it wants to slough off its share of the agreed "common responsibility" for the German question and for German reunification and to abdicate in favor of its creature, the so-called German Democratic Republic.

The Soviet Union argues that if we will acquiesce in this tearing up of the Summit accord and accept different arrangements more favorable to it, that would be another good step toward "ending the cold war".

And so it goes. Never yet has the Soviet Union made any proposal designated to promote ending the "cold war" except on terms that, it calculated, would help International Communism to win the "cold war".

There is, I know, always the temptation to grasp at a form of words which might seem to end the continuing strains, the burdens, the risks, to which we are now subjected. But the Soviet proposals constitute not remedies but drugs which would numb us to the real danger which will then become greater than ever.

Let me make perfectly clear that we are fully alive to the grave hazards in the present situation. Every reasonable and decent effort must be made to avoid needless provocations, to find a *modus vivendi*, and to reduce the danger of a war which under present conditions would involve a large measure of worldwide annihilation. We have, I think, shown that we believe in such efforts.

We made the Korean Armistice which ended the hostilities in Korea.

We participated in the Geneva Conference of 1954 which brought to an end the hostilities in Indochina.

We have sought, and still seek in our Warsaw talks with the Chinese Communists, to assure that in the Taiwan area force should not be relied upon by either side to bring about the reunification of China. And the Government of the Republic of China last October declared principal reliance on peaceful means, and not the use of force, for restoring freedom to the people on the mainland.

We have joined with the Soviet Union in concluding the Austrian State Treaty which liberated Austria.

We have made, a year ago, an agreement for cultural and scientific exchanges with the Soviet Union.

We have met with the Soviet Union at the Summit and indicated a readiness to do so again. But the Soviet Union broke off the negotiations for such a meeting last June when it was made clear we would feel free to talk about some subjects that they disliked.

We are negotiating in good faith for a controlled discontinuance of the testing of nuclear weapons.

We have indicated our readiness to discuss the interrelated problems of Berlin, German reunification, and European security. But so far the Soviet Union insists that we shall only talk about a change in the status of West Berlin—not East Berlin—and about a peace treaty which would be made with the two Germanies and perpetuate the partition of Germany.

The principles of our policy were first announced in 1947. That policy is based, first of all, on our hope of achieving a just peace and on firmness in opposing aggression. Ever since that time the American people and their successive governments have stood by these basic purposes steadfastly and firmly in spite of every kind of provocation.

I assure you that we are as alert and vigilant in seeking every reasonable avenue to achieving a better understanding with those who are hostile to us as we are alert and vigilant in maintaining the kind of strength that will convince them of the folly of aggression.

As President Eisenhower has repeatedly said, there is nothing that we will not do at any time at any place which holds a reasonable prospect of promoting a just peace. But it would be reckless to be intimidated, or lured, into measures which far from ending the present danger would merely increase it.

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*Note from the American Embassy to the Soviet Foreign Ministry,  
Protesting Detention of a United States Army Convoy, February  
4, 1959<sup>1</sup>*

The Government of the United States of America draws the urgent attention of the Soviet Government to the unwarranted and inadmissible refusal by Soviet authorities of normal transit through the Marienborn Autobahn checkpoint to four two-and-a-half ton trucks and five United States Army personnel charged with their operation.

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<sup>1</sup> Department of State press release 90, February 4, 1959.

This convoy has been held up since 1:05 p.m. Central European time, February 2, 1959.

This convoy, on leaving Berlin, was passed through the Nowawes checkpoint by Soviet personnel, having been found to comply with normal procedures, and followed the established route toward its destination. At the Marienborn checkpoint, the Soviet authorities refused to allow it to proceed.

Despite protests by the United States Political Adviser, Berlin, to the Soviet Political Adviser and by the Chief of Staff of the United States Army, Europe, to the Soviet Military Liaison Mission at Frankfurt-Main, the men and vehicles have not yet been allowed to proceed on their journey.

The action of the Soviet authorities at Marienborn is in clear violation of the United States' rights of access to Berlin via the Berlin-Helmstedt autobahn, exercised by the United States Army in accordance with quadripartite agreements with the USSR, the United Kingdom and France since 1945.

The United States Government expects the Soviet Government to take the necessary measures to allow the men and vehicles to proceed to their destination and to ensure against a repetition of the incident.

*Statement by Secretary of State Dulles Upon Returning from Europe, February 9, 1959<sup>1</sup>*

I have talked in London, Paris and Bonn with governmental leaders of those countries, and with Secretary-General Spaak of NATO.

We have had a useful exchange of views primarily on the serious situation created by Soviet threats and repudiations concerning Berlin.

We have reconfirmed the unity and firmness of our position expressed in the joint communique of the four powers at Paris December 14. We do not accept the substitution of East Germans for the Soviet Union in its responsibilities toward Berlin and its obligations to us. We are resolved that our position in, and access to, West Berlin shall be preserved. We are in general agreement as to the procedures we shall follow if physical means are invoked to interfere with our rights in this respect.

We discussed the whole problem of Germany. We exchanged views on the prospects for a foreign ministers meeting with the Soviet Union at which all aspects of the German problem can be discussed, not only Berlin and a peace treaty, as the Soviets propose, but also reunification and European security, as the Western Powers have proposed.

We are willing to talk with the Soviets in a sincere effort to reach agreements.

The leaders of the British, French, German and United States governments will keep in close contact on the German situation, and their foreign ministers contemplate meetings as may be appropriate. Officers at other levels will be in consultation on specific questions.

I return encouraged by the unity, understanding and resolution in the three countries I visited.

<sup>1</sup> Department of State press release 98, February 9, 1959.

*Note from the American Embassy to the Soviet Foreign Ministry,  
on Germany, February 16, 1959<sup>1</sup>*

The Government of the United States refers to the note of the Government of the USSR dated January 10, 1959.

The United States Government has repeatedly expressed its conviction that the continued division of Germany constitutes a danger to European security and to world peace. This danger is heightened by the persistent and flagrant denial to the East Germans of human rights and fundamental freedoms. The United States Government has sought to deal with this problem as urgently as possible through negotiations among the Four Powers responsible for Germany. In pursuing this objective, it has been willing to negotiate seriously on all aspects of the problem. This attitude long held was most recently put forward by the United States in its notes of September 30 and December 31, 1958.

The Soviet Government has announced its intention unilaterally to abdicate certain of its internationally agreed responsibilities and obligations in regard to Berlin. That would encourage, and could result in, an attempt to assert control over the rights of the Western Powers to be in Berlin and to have unhampered access thereto. The danger to world peace inherent in this Soviet initiative is evident.

The position of the Western Powers in this matter has been made clear in their note of December 31. They have no choice but to declare again that they reserve the right to uphold by all appropriate means their communications with their sectors of Berlin.

Apart from the question of Berlin, the Soviet note of January 10 contains a number of statements and proposals with which the United States Government does not agree. The United States Government does not, however, propose to discuss these things in the present communication. This is partly because its views on the points at issue have been made plain in the note of December 31, 1958, and on previous occasions; and partly because in its view neither polemics nor insistence on the prior acceptance of any limitations on the means of reaching mutually satisfactory solutions can be helpful.

The United States Government is prepared to participate in a conference of the Ministers of Foreign Affairs of the USSR, France, the United Kingdom, and the United States, and is ready to consider any suggestions as to a date and place, which would be fixed by mutual agreement. The place and date should be settled through diplomatic channels.

The conference should deal with the problem of Germany in all its aspects and implications as raised in the recent exchange of notes between the Governments of the United States of America, France, the United Kingdom and the Federal Republic of Germany on the one hand and the Government of the USSR on the other hand.

It is suggested that German advisers should be invited to the conference and should be consulted.

<sup>1</sup>Department of State press release 116, February 16, 1959. The Soviet Union replied on March 2, 1959 (ia/re).

*Note from the Soviet Union to the United States, on a German Peace Treaty, March 2, 1959<sup>1</sup>*

{Unofficial translation}

The Government of the Union of Soviet Socialist Republics has familiarized itself with the note of the Government of the United States of America of February 16, 1959 and considers it necessary to declare the following.

The note of the Government of the United States of America does not give an answer to the concrete proposal of the Soviet Union with regard to the conclusion of a German peace treaty and with regard to the convening for this purpose of a peace conference of the states which took part in the war with Germany, as well as with regard to the normalization of the situation in Berlin. For the solution of these questions, which have cardinal significance for the strengthening of peace in Europe and for the future of the German nation, the Government of the United States of America endeavors to substitute statements concerning the desirability of an examination by the four powers "of the German problem in all its aspects" and does not advance on its part any proposals on the essence of the problem.

The very raising of the question of Germany in this note speaks of the lack of desire to consider either the situation in fact which has arisen in Germany or the demands of common sense. If 14 years ago Germany, although divided into zones, remained a country with one social structure, then today two German states exist which have developed in different directions. The governments of the Western powers, if they in actuality are striving toward a settlement of the German question on a workable basis, cannot close their eyes to this fact, especially since it was they who were the first to create the West German state.

Having taken from the very beginning of the occupation a course toward the division of Germany, the United States of America, England and France at the same time were preparing the rearment of the West German state created by them. Thus they discarded the Potsdam agreement, imbued with the ideas of the eradication of German militarism from which the peoples of Europe had suffered at the price of incredible sacrifices and losses. As subsequent events have shown, their chief concern was the drawing of Western Germany into their military grouping. The participation of the Federal Republic of Germany in NATO permitted it to start openly the formation of the Bundeswehr and to demand the arming of it with atomic missile armament. Precisely as the result of the policy of rearment and encouragement of the militaristic forces of Western Germany, it is again necessary for the European peoples to live under conditions of worry and alarm concerning their future.

Another independent German state—the German Democratic Republic—chose for itself a course of peace and social progress. Here there are no grounds for the revival of militarism and the carrying out of a policy of aggression and revenge. The government of the German Democratic Republic has refrained from carrying out military conscription and the formation of a mass army. The contrast

<sup>1</sup> Department of State Bulletin, April 18, 1960, pp. 508-511. The United States replied on March 26, 1959 (infra).

and disconnection between the two German states is deepened still more because of the fact that they belong to opposing military political groupings of powers and the ties of specific obligations arising from adherence to these groupings. The German Democratic Republic as is known is in the organization of the Warsaw Treaty, which has no other purpose than the strengthening of peace, the reduction of international tension and the cessation of the "cold war", while the Federal Republic of Germany is an active participant in NATO where everything is subordinated to the armaments race, to an endeavor to keep the world in a condition of tension, and to preparation for an aggressive war.

In this way the postwar development of Germany has advanced on the agenda other problems than those which stood before the four powers during the first years after the defeat of Hitler Germany. Now it is impossible to make any step ahead whatever in the German question if it is approached by the old yardstick without accounting for the existence of two independent German states and of the basic differences in the direction of their development. And this situation will not change one iota no matter what the quantity of notes or statements made by the Western powers in order to refute facts which are based on life itself.

The Western powers propose to consider the German question in all its aspects at the same time that they themselves have already destroyed the basis for such consideration. There is already no trace of a joint policy of the four powers with relation to Germany. No one, for instance, can saddle the Soviet Union with responsibility for the fact that the Federal Republic of Germany has entered upon a militaristic course of development. It is generally known that the Soviet Union many times warned the Western powers of this danger for the cause of peace and the unity of Germany which such a course of development of Western Germany has concealed within itself. On the other hand, it is unlikely that anyone would attribute to the Western powers the fact that in the German Democratic Republic the peace loving democratic forces have conquered and become firmer.

There is still a possibility today for return to the collaboration of the four powers on the important question connected with Germany. The conclusion of a German peace treaty opens up such a possibility. In a peace treaty the German Democratic Republic and Federal Republic of Germany would assume identical obligations which would exclude the possibility of the revival of German militarism, which would secure conditions of peaceful development for both German states and would free European peoples from the oppressive threat of war.

The proposal of the Soviet Government on the conclusion of a peace treaty with Germany has received up to the present moment the full support of the governments of nine states which participated with their armed forces in the war against Hitler Germany. The population of these countries comprises almost a billion individuals. In addition, this proposal has found approval and support in wider circles of public opinion in many other states. Aren't these convincing facts speaking in favor of the conclusion of a peace treaty with Germany in the nearest future?

As to the problem of the unification of Germany, the Soviet Gov-

ernment clearly and definitely stated in its notes of November 27, 1958 and January 10, 1959, and also in a number of other documents brought to the attention of the Government of the United States of America, that it considers interference in the affairs of the two German states and their substitution by anybody whatsoever in the solution of the problem of unification impossible and inadmissible. The Germans themselves must and should solve this problem. The only thing that the four powers could undertake in this direction without infringing on the sovereignty of the German Democratic Republic and Federal Republic of Germany is to aid the removal of the current alienation in the relations between both German states and to bring about a rapprochement and agreement between them for the purpose of solving the task of the reunification of Germany. The Soviet Government has expressed readiness to render such aid, supporting in particular the proposal of the Government of the German Democratic Republic about the creation of a German confederation. It would be natural to expect that the Government of the United States of America, which states its adherence to the cause of the reunification of Germany, will manifest a constructive approach to this proposal. Meanwhile up to now such an approach has not been manifested.

The Soviet Government would like also to emphasize that, according to its profound conviction, the conclusion of a peace treaty with Germany and normalization of the situation in Berlin in current conditions would in themselves be the best means for bringing closer also a solution of the problem of reunification in accordance with the national aspirations of the Germans and with the interests of peace and security of other peoples.

In advancing a proposal for conclusion of a peace treaty with Germany, the Soviet Government proceeds from the need to bring to a conclusion the settlement of questions remaining open since the Second World War and creating complications in relations among states. This can be objected to only by those who do not wish to part with the current unsettled situation, who strive to preserve the soil for dangerous clashes among the states, who wish to keep the world in a state of fever, who are for preparation of war, and not for strengthening of peace.

A peace treaty, if the interested states really strive for it, can be concluded with both German states since now only they speak in the name of the Germany which signed the act of surrender, and a peace treaty ought to fix the existing situation. One must live in a world of illusions to count on changing the social order of any of these states with the aid of external intervention. Is it not clear that any attempt to apply force to the German Democratic Republic and the Federal Republic of Germany would lead to a clash of the two opposing military groupings of which they are participants and would bring down on mankind a new war, a hundred times more serious in its consequences than all previous wars?

Conclusion of a German peace treaty would mean also settlement of the Berlin question. The Soviet Government more than once has called the attention of the Government of the United States of America to the fact that the situation which has emerged in Germany is not normal and represents in itself a serious source of international tension especially in relations among the states of Europe. The

Soviet Government stands for the solution of this question on a basis acceptable for all interested parties, with the aim of ensuring confidence and security of the peoples of Europe. Precisely for this reason it advanced the proposal to transform West Berlin into a demilitarized free city, whose independence and necessary business, cultural and other ties with the countries of West and East would be protected by reliable international guarantees. In these guarantees, in the opinion of the Soviet Government, the great powers can take part with all their weight and authority, which already in itself would ensure the effective character of these guarantees and reliably protect the rights and status of a free city of West Berlin. The enlisting of U.N. participation in the guarantees is also entirely possible and responsive to the interests of both the population of a free city and of securing peace. It goes without saying that the Soviet Government is ready to discuss the question about guarantees jointly with other interested states in order to come to a mutually acceptable agreement.

As for the statement contained in the note of the Government of the United States of America about its readiness to apply "all appropriate means" for preserving the occupation of West Berlin, this of course does not change the point of view of the Soviet Government regarding the need to solve the Berlin question and does not influence its intentions in this regard. It is hardly necessary to prove to the Government of the United States of America that the parties whom they threaten with the application "of all means" have at their disposal everything necessary to stand up for themselves in a worthy manner and to give a rebuff to any aggression. The Soviet Government would like to emphasize that as an ally of the German Democratic Republic according to the Warsaw Treaty it will completely fulfill its obligations according to this treaty. As is known this same position is taken by all state participants of the Warsaw Treaty who are united in their determination to do everything possible for the preservation and if it will be necessary for the restoration of peace.

How in such a situation must one evaluate the threats voiced in the West to use tanks and aviation for breaking through to Berlin after the German Democratic Republic as a sovereign state with whom a peace treaty has been signed becomes complete master over communications between West Berlin and the Federal Republic of Germany?

If behind these threats there is really hidden the intention to resort to arms, then anyone who decides on this will have to take on himself a heavy responsibility before mankind for the unleashing of a new war. If the initiators of such threats count on conducting a war of nerves and bringing pressure on the Soviet Union, they then must know that such methods in relation to the Soviet state have always ended in failure and will suffer the same failure in the future as well. According to the profound conviction of the Soviet Government now more than ever it is necessary to undertake urgent effective measures in order to avert the dangerous course of events. Therefore it once more returns to its proposal on the holding of a meeting of statesmen at the highest level.

The negotiations of Ministers of Foreign Affairs which are now proposed by the Government of the United States of America are a long road.

If the Heads of Governments have not yet adopted a firm decision in order to build relations among states on the basis of cooperation and in order not to permit anything that would complicate these relations, then can other representatives of the states adopt such decisions which would secure a basic improvement of relations among states! It cannot be doubted that the efforts of such representatives would be directed not so much to aiding rapprochement among states as to pursuit of reasons and motives which guide one or another state in introducing its proposals.

Even the very fact of a meeting of the Heads of Government in the present strained situation undoubtedly would further the normalization of the whole international atmosphere. Can one ignore the truly great historical significance which would have a decision of the Heads of Government participating in the conference that henceforth they will make efforts toward a settlement of all international problems in the interests of peace on the basis of the principles of peaceful co-existence and will not permit anything that would interfere with the achievement of such noble ends? This alone would already create propitious conditions for the successful settlement of concrete questions engendering tension in international affairs.

Of course, the Heads of Government could consider a wider circle of questions than is proposed by the Government of the United States of America for a conference of Ministers of Foreign Affairs. This especially refers to those questions the lack of solution of which conceals within themselves a threat to the security of peoples and international peace. The Soviet Government proceeds on the basis that the Heads of Government will discuss the proposals introduced by it about the conclusion of a peace treaty with Germany, and also about the adoption of joint measures toward the elimination of the abnormal position which has resulted in connection with the foreign occupation of West Berlin. Of course, decisions agreed at this conference about a peace treaty would have to be submitted to a peace conference, as was proposed by the Soviet Union.

In addition, at the conference of Heads of Government could be discussed questions connected with the safeguarding of European security and disarmament, such as the mutual withdrawal of forces and the creation of an atom free zone and a zone of disengagement between the armed forces of the Warsaw Pact and NATO organizations, the reduction of the armed forces of the Union of Soviet Socialist Republics, the United States of America, Great Britain and France on the territories of other states, the prohibition of atomic and hydrogen armament and the cessation of its testing, and others. The Soviet Government has at the appropriate time named these questions and they are well known to the Government of the United States of America.

The Soviet Government considers that for successful work in the preparation of a peace treaty with Germany and the decision of questions connected with the safeguarding of European security, it is necessary that there be active participation in this work by the representatives of countries which were subjected to aggression from the side of Hitlerite Germany. Proposals directed to the limiting of the discussion of a peace treaty in the framework of four powers can only call forth difficulties in the achievement of agreed decisions. In view

of this, the Soviet Government considers it necessary that at the conference should take part, besides the four powers, also interested countries, like Poland and Czechoslovakia, as states bordering on Germany which became the first victims of Hitlerite aggression. With regard to the participation in the conference of the German Democratic Republic and the Federal Republic of Germany, the Soviet Government considers that at the summit conference in the examination of questions about a peace treaty with Germany and about West Berlin both the German Democratic Republic and the Federal Republic of Germany must be represented. In the West, voices are often heard against a summit conference since, they say, there are no guarantees that this conference will not suffer failure. Of course, if from the very beginning one or another participant has no desire to further coming to an agreement at such a meeting, then it really can suffer failure. But in such a case any conference, on whatever level it is conducted, will inevitably be doomed to failure.

To secure the success of a summit conference it is necessary that all its participants be guided by a sincere desire to come to agreement and realize that for the sake of securing a lasting peace among peoples it is necessary to renounce attempts to achieve any one-sided advantages in the negotiations.

The Soviet Government adheres to the opinion that a meeting at the highest level has at the present time the greatest chances of achieving positive results. Such authoritative statesmen as the Heads of Government, who possess very great plenary powers and experience, must have their say in order to give a new direction to the development of relations among states. After achieving agreement among themselves on vital international questions, the Heads of Government would be able then to instruct the Ministers of Foreign Affairs to work out future measures for the realization of the joint decisions adopted.

If the governments of the Western powers are not yet ready to take part in a summit conference, then the Soviet Government considers that for an examination of questions concerning the peace treaty with Germany and concerning West Berlin, there could be convened a conference of the Ministers of Foreign Affairs of the Union of Soviet Socialist Republics, the United States of America, Great Britain, France, Poland, and Czechoslovakia. Besides, the Soviet Government declares its agreement with the proposal of the Governments of the United States of America, Great Britain, and France that at this meeting both German states—the German Democratic Republic and the Federal Republic of Germany—would be represented. Since both these concrete questions had long since matured, the Soviet Government considers it appropriate to set for the work of a meeting of Foreign Ministers a term of not more than two or three months.

As for the question about the time and place of a meeting of Heads of Government, the Soviet Government would consider it possible to convene such a conference in April of this year in Vienna or Geneva, if this is convenient for the Government of the United States of America, and also the governments of the state participants of such a conference, and if, of course, the Government of Austria or Switzerland would be ready to extend hospitality to the participants of such a conference.

If the Government of the United States of America is not ready for a meeting of Heads of Government, then the Soviet Government proposes at the above-noted time and place to convene a conference of Ministers of Foreign Affairs with the above-proposed composition.

The Soviet Government would like to express the hope that its proposal will meet support on the part of the Government of the United States of America, which, together with the Soviet Union and other state participants of the anti-Hitler coalition in the period of the Second World War, made its contribution to the cause of smashing Hitlerite Germany and now with the conclusion of a peace treaty with Germany would further the removal of a military danger on the part of German militarism.

*Address by Premier Khrushchev at Ninth All-German Workers Conference at Leipzig, March 7, 1959<sup>1</sup>*

[Extract]

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Comrades, confronting the international labor movement are fundamental questions and those of a different nature. The questions of communism, the question of peaceful coexistence of countries with different social-political systems, are cardinal, fundamental problems of our time. The German problem, however important, is a particular issue. Some might say, how come Krushchev came here to Germany and declares that the German problem is a particular issue? I would like you to get me straight. The world population is about 2.5 billion, of which there are about 80 million Germans. The question of society's movement to communism bears upon all peoples of the world, whereas the German question bears mostly upon Germany. Naturally, it is an acute, an important question. We stand for German unity, and the German people need it. But can the peoples of the world exist without the reunification of the two German states? They can, and not badly. Can the Germans live without reunification? They can and even well. Consequently this, though important, is not a fundamental question.

Why then do we nevertheless attach such great significance to the German problem? Because it is the focal point of the problem of war and peace, one of the principal sources of international friction and conflicts. Great armed forces of the countries of the West and East are concentrated in Germany. And when two armies stand ranged against each other, are in direct contact, any spark might touch off the conflagration of war, all kinds of unexpected contingencies may arise. This must be prevented. This is why we are pressing, and will continue to press consistently, for the normalization of the situation in Germany.

The most reasonable way out would be to sign a peace treaty with the two German republics. In the present circumstances that would be the most correct solution of the question. The signing of a peace treaty, without altering anything that came into being after the war, by finally determining the existing situation in Central Europe, would represent a decisive step toward normalizing the international situa-

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tion, toward establishing a climate of confidence between the two sides. But the ruling circles of the Western Powers stubbornly cling to cold war positions, and are exploiting the German problem toward this end.

Comrades, our countries twice within the last 50 years fought bloody wars against each other. I myself was with the army from the first days of the last war, and with my own eyes saw all the horrors of war. As a member of the military council of the Stalingrad front I was a witness to and participant in the Stalingrad rout of the Nazi troops. As a result of the criminal orders of Hitler, who demanded that the encircled troops fight to the last man, German casualties were enormous. The city was literally carpeted with corpses of German soldiers. Casualties were also great in the Volga steppes, when Mannstein with his troops attempted to break through to relieve the army caught in the Stalingrad cauldron and was resolutely repulsed by our troops commanded by Marshal Malinovskiy. It was a terrible war indeed. Many millions perished in the war, and people perished not only on the front.

You are aware of the heinous crimes of the gestapo. You have heard about Cswiecim, Maidanek, Buchenwald, about death chambers, about massacres of defenseless prisoners of war and civilians. Is there anything the nazis left undone to poison the relations between the Soviet people and the Germans? But human reason prevails over obscurantism, despite all crimes of the past. Surely, even during the war quite a few German soldiers realized that Hitler had started a criminal aggressive war. I remember, for instance, the interrogation in 1943 at the Kursk salient, of a German soldier who went over to the Soviet side. He said that he hated Hitler and nazism, that nazism should be destroyed.

And now, after the war, when friendly and brotherly relations have been established between the Soviet people and the working people of the GDR, it is pleasant to see the friendly attitude toward the Soviet people in the GDR, to feel how correctly the working people of the GDR understand that the Soviet people are their best friends. I think that the Germans who have been to the Soviet Union since the war will confirm that our people have the most sincere feeling of friendship for you.

The Soviet Union, the Soviet people, always were and are for the unity of Germany. It was the rulers of the Western Powers who shouted in their time that Germany should be dismembered, and it was precisely their separatist actions that brought about a split of your country. Our government, Stalin, on the other hand, persistently advocated the idea of German unity. And we continue to abide by this decision today. But now, on what foundation should Germany be reunited? We are not for just any reunification. And you, too, will agree, I think, that the question of reunification should be approached primarily from class positions.

Here is an example. After World War I when the young Russian republic was compelled to sign the Brest peace treaty, the counter-revolutionary central council in the Ukraine also signed a peace treaty with Germany. The Ukrainian state was dominated by the German imperialists. The people of some frontier villages were polled about what state they wanted to belong to, the Russian federation or the Ukraine.

The village where I was born lies on the frontier between the Ukraine and Russia. It is a Russian village, but most of its people—my father and myself included—worked in Donets mines and in cities in the south of the Ukraine. As a result there were many arguments among the peasants as to which of the two states to join. Many of the villagers wanted to join the Ukraine and if there were no "Gaidamaki" (Counterrevolutionary forces of the Central Ukraine Rada, active in 1918-1919—Ed.) there and if it were not ruled by capitalists and landowners, the people of our village would probably have voted to join the Ukraine. But when some peasants spoke for joining the Ukraine, the others said: We, too, prefer joining the Ukraine. The Ukraine is rich; we have become used to it and worked there. But there are "Gaidamaki" in the Ukraine today. A Gaidamaki detachment commanded by the son of our squire is billeted not far from here. He is reported to have said: Let the peasants cut down my woods provided they leave the hazel grove, so that I should have a rod to cane the peasants with. And the peasants finally voted to join the RSFSR. The peasants in some villages bordering on the Ukraine gravitated to the Ukrainians, but voted for Soviet power—for joining Soviet Russia, because the Ukraine was ruled by capitalists and landowners while Russia had established the power of workers and peasants. This was the class approach to the solution of the frontier problem.

Let us return to the question of German reunification, however. I myself am Russian; I come from among the workers and I naturally respect my nation and I respect other nations, too. But when it comes to class solidarity—to class struggle, I uphold the interests of the working class—the interests of the working people.

What does the reunification of Germany mean under present conditions when two German states are in existence? On what basis can it be achieved? He who reflects the interests of the working class cannot admit, even in thought, that the workers and peasants of the GDR, who have created a worker-peasant state and are successfully building socialism, should lose all their gains in consequence of reunification and should agree to live, as formerly, in capitalist slavery.

Our consent to the reunification of Germany on a capitalist basis, comrades, would dishonor us workers in the eyes of the future generations. They would say: "This means that our forefathers, our fathers—blinded by nationalism—lost all class sense, ceased to defend the interests of their class, and reconciled themselves to the abrogation of socialist gains." Can we do this? Certainly not.

Can we agree when the capitalist world proposes to achieve the reunification of Germany at the expense of the GDR and thus narrow down the front of socialism? To do so would be to imitate the proverbial crucian carp which wanted to jump into the pike's mouth, and in such a way as not to stratch its throat. We have not been born and we do not live to yield to capitalism. We must firmly abide by the principles of proletarian internationalism. We live, as Lenin said, in the area of proletarian revolutions and the collapse of capitalism. The question can also be put thus: Why not reunite Germany by abolishing the capitalist system in West Germany and

establishing there the power of the working class! But it would be unrealistic today. It would be even more unrealistic, however, to cherish any hopes for the liquidation of the socialist gains in the GDR, for the liquidation of the power of workers and peasants.

Representatives of the bourgeois world today don the mantle of champions of democracy. They say: We are for all German elections. But in voicing this demagogical slogan they forget—but we cannot forget—that they have already compromised themselves once on a similar issue. I mean the Geneva agreement on elections in Vietnam. The struggle for liberation from the French colonialists waged by the people of Vietnam under the leadership of Comrade Ho Chi Minh, that great son of the people, ended in victory. The imperialists had to stop the war.

Agreement was then reached in Geneva on the holding of a general election in Vietnam within two years. These two years have long passed but no election has yet been held, because the imperialists are aware that if it were held all Vietnamese people would rally to the banner of the workers' and peasants' government. It should be noted that the United States made the biggest efforts to prevent free elections in Vietnam. This is how they honor their international agreements. And after all this they dare to reproach us with our alleged opposition to the so called free elections. The imperialists themselves have violated the very international agreement they signed. They have done so for the sake of their class interests and for the sake of their comrades-in-class, the capitalists and land-owners of South Vietnam. This is a class approach.

If the capitalist class protects its class interests, then should not we, the workers, understand and protect our class interests? We must with all our strength protect the interest of the working people and their gains. I repeat, we are for German unity, and the German people will be reunited. This is only a question of time. At the same time, it is of course very important on what basis it will be reunified. Therefore, do not hurry, the wind does not blow in your face, consider everything thoroughly. Have patience, but also act. Do not be mere bystanders, so you will not have to blush before your children and grandchildren, but, on the contrary, be able to tell them that the working class of Germany had fought actively in defense of its class and national interests. If you want your children and grandchildren to remember you with gratitude, you should fight for the conclusion of a German peace treaty, which would be an important step toward the reunification of Germany.

What is necessary to be done? To sign a peace treaty with the actually existing two German states. If it were possible now to establish a confederation of both German states, it would also be well. I talked many times to representatives of Western powers, including representatives of various circles of the Federal Republic of Germany. I asked them: Why do you fear a confederation? If you, capitalists, are as strong spiritually and materially as you say, surely you could influence the socialist sector, digest it, and have a reunified Germany along capitalist lines. But the capitalists fear a confederation. They apparently have no faith in their capitalist stomachs, which cannot digest the socialist achievements of the GDR. What is it you want then, Messrs. Capitalists! You apparently want us, the Soviet Union and the other socialist countries, to help you destroy the GDR.

No, gentlemen, we shall not assist you in this sinister work. We are warmly on the side of the German working class. The GDR is a republic of the working class. It is a republic of labor and peasantry, the homeland of all German workers.

And now, comrades, permit me to touch upon the question of frontiers. If Mr Adenauer were asked whether he believed that the part of the German territory lost in consequences of the war started by the Nazis can be returned with the help of the policy of the cold war, he would apparently say "yes" at a meeting and "no" at home.

History teaches that it is not conferences that alter national frontiers. Conferences can only reflect in their decisions an established balance of forces resulting from victory or capitulation after a war, or other circumstances. Consequently, frontiers can be altered as a result of war. But the situation at present is such that both sides are reasonable enough to prevent hostilities over the question of frontiers. Consequently, the frontiers should apparently be recognized as they do exist.

I realize that this is a painful question for you Germans. You may well say: It is all very well for Mr. Khrushchev to speak. It is not the Soviet Union but Germany that lost some territories as a result of World War II.

But I ask you, comrades, to regard me not only as a representative of my people. I am, above all, a communist, a member of the Communist Party. Do not think that the question about the frontiers is considered only by Germans to be sensitive. This question is also very acute for many capitalist states. With the victory of the socialist revolution the question of frontiers will assume a different character in a number of countries and will not be as acute as under capitalism. However, it does exist in socialist countries.

Let us take the Soviet Union and Poland. If one asks the Ukrainians or Byelorussians, they will say that even now several regions come within Polands present territory which earlier belonged to the Ukraine and Byelorussia. Even such a "witness" as the late Lord Curzon would be able to confirm this: It is known that the so-called "Curzon Line" drew the Soviet-Polish frontier considerably more to the West than it runs at present. I do not by any means speak about this because some controversial territorial questions exist between the Soviet Union and Poland. There are no such questions, though I am convinced that there exist in Poland some members of the population who do not consider the existing frontier to be just and, apparently would like to see it run a little more to the east than it does at present.

Take also Yugoslavia and Hungary, as an example. Since the end of World War II part of the territory which used to belong to Hungary has been included in Yugoslavia, and approximately 1 million Hungarians live there. Or, take the question of Transylvania, where a considerable number of Rumanians as well as Hungarians live and where the interests of royal Rumania and Horthy's Hungary clashed very acutely. This could not but have had certain consequences which become apparent even at present.

It is known that part of the present Moldavian Soviet Republic had been grabbed by the Rumanian king and was some time ago re-united with Soviet territory. However, no argument about a fron-

tier arises between the Soviet Union and the Rumanian People's Republic as both our countries are socialist and are guided by common interest, and they both advance toward one aim, communism. This, however, does not mean that among the Rumanian population there are not people who consider that Moldavia is part of Rumania.

We do not close our eyes to the fact that such feelings can arise. At the same time, however, we consider that to us communists the question of frontiers are not of major importance and that there can be no conflicts about it between socialist countries. We Communists consider the aim of our life to be the construction of a communist society, the bright future of mankind. This society will have no classes, there will be no exploitation of man by man; material and spiritual benefits will belong to all the people; the entire wealth of the earth no matter where it lies—will serve equally all mankind, freed from the fetters of capitalism. It cannot be otherwise under communism. Matters cannot be presented in such a way that, having built a communist society, we shall spike our frontiers with still more posts, shall maintain frontier troops and officials to issue frontier permits.

The question of frontiers is one of the most acute and complicated questions inherited by us from the old capitalist world. Today, old ideas about frontiers based on bourgeois legal norms still exist in the consciousness of millions of people building socialism, parallel with other remnants of capitalism. Even many communists are not free from these remnants. Therefore, at present we cannot but take this into consideration and we must lead the masses patiently to the understanding of this question from the position of communism. Communist society which will have at its disposal an abundance of material and spiritual riches will be able to satisfy equally the demands made by every individual as well as by every nation. I think that problems of providing people with the means of existence will not arise at all under communism. The most important thing will be to know how best and most rationally to use everything that nature and labor can give to man in the interests of all mankind, which has reached communism, and not only in the interests of one nation.

In these circumstances, earlier concepts of frontiers as such will gradually become outdated. With the victory of communism on a world wide scale, state frontiers, as Marxism-Leninism teaches, will die off. Probably for the time being only ethnographical frontiers will remain, and even those will apparently only exist conditionally. Obviously, along such frontiers—if they can be called frontiers—there will be no frontier guards, no customs officials, and no incidents whatsoever. These frontiers will only fix the historically established living area of a people or nationality on a given territory. That this will be precisely what will occur is shown by the process which is taking place in the Soviet Union, a multinational state. Every one of the peoples, nationalities and national groups of the Soviet Union has its frontiers established by history, and by its own traditions and culture.

But all the peoples of the union of autonomous republics of our country are united by their common vital interests within a single community and they are advancing together toward one goal, communism. Therefore, the borders between the union and autonomous

republics integrated within the Soviet Union are gradually ceasing to mean what they used to mean.

As our country moved toward socialism, the borders between its individual republics were, in fact, vanishing, as it were. This process gained momentum as the gap between the development standards of the national republic was narrowed. If you ask any Russian, Ukrainian, or Byelorussian today whether the administrative boundaries of their republics are of any topical interest to them, I think most of them will be puzzled by this question. Why? I think it is because all the nations and nationalities enjoy equal rights within our socialist state, life is based on a single socialist system and the material and spiritual needs of every people and every nationality are met in equal measure.

Five years ago it was found expedient to bring the Crimea, until then a constituent part of the Russian Federation, within the Ukrainian Republic. This was done on an absolutely voluntary basis, and was supported by the Russians and the Ukrainians alike. Why? Because the action affected neither the interests of the Russians nor those of the Ukrainians, and the Crimea and its riches are as much a patrimony of all Soviet people as they were before.

The foundations for communist relationships between peoples have been laid in the Soviet Union and throughout the whole socialist camp. Examples of this are numerous. The peoples of the socialist nations are bound together by bonds of fraternal friendship and by their common concern in building socialism and communism. They are constantly giving each other selfless mutual aid and support. Among the sovereign states of the socialist camp, extensive cooperation is developing in all spheres of economic, social, political, and cultural life. Looking ahead, I think the future trend of development of the socialist countries will, in all probability, be one of consolidating a single world system of socialist economy. Economic barriers, which divided our countries under capitalism will be pulled down one after another. The common economic base of world socialism will be consolidated and it will eventually make frontiers a pointless issue.

There is one fine catalyst of this process. It is the leveling-off in the general economic and cultural standards of socialist countries by advancing those who lag.

The higher the living standards all the free peoples become and the fuller the extent to which their material and spiritual needs will be met, the sooner and the more easily will the relics of capitalism in the human minds be eradicated and the faster will be the process of the peoples blending within one communist community. The frontiers, as they are understood today, will gradually cease to exist. No sovereign socialist country can seclude itself within its frontiers and rely on its own potentialities and wealth alone. If that were so, we would not be communist internationalists but would rather become national socialists.

The leveling off in the development standards of the nations where socialism has triumphed and the gradual vanishing of the importance of frontier after the triumph of communism in all countries comprise one of the most important questions of the Marxist-Leninist theory. The level of development we have reached makes it imperative for us to get down to a thorough consideration of this question.

in order to see well the prospects that lie ahead and to understand better the problems which seem insurmountable today, but will present no difficulty at all some years hence.

It is certainly difficult for the bourgeois politicians, whose vision is handicapped by the narrow limits of the ideology of the class they are serving, to understand our internationalist position. In my talks with representatives of the capitalist world I often had to answer the question: What do you think, Mr. Khrushchev, of the fast increase of the population in China? In replying, I said it was true that the birthrate in China was very high. Its annual increase of population is about equal to the entire population of Czechoslovakia. My interlocutors then cautiously remarked: Does that not trouble you? There you have a typical sample of bourgeois psychology. Why would we be frightened by the rapid increase of the population in fraternal People's China or in any other country for that matter? If all the peoples apply their creative powers, their intellect and their potentialities to expanding the production of material and cultural values, there will be enough to meet the needs of the peoples of the whole world and the so-called "question of overpopulation" of our planet will look absurd.

Incidentally, the bosses of the big imperialist states have been saying a lot in the postwar period to the effect that the countries should not care about their national sovereignty. The big imperialist powers want the national independence of the other countries to be destroyed so as to have a free hand for the economic and political enslavement of the people of those countries which have a certain opportunity of defending their interests with the help of frontier and customs regimes.

It is not difficult to see that the imperialist ringleaders and their ideologists, by calling for a limitation of national sovereignty and for a lowering of the customs barriers in other countries, are, in fact, pursuing a policy of bringing those countries into submission to the big imperialist monopolies. To consolidate the national sovereignty of those countries is a matter of progressive importance, contributing as it does to strengthening the national independence of the peoples. We communists firmly believe in the feasibility of our plans and we have a clear idea of the way international relations should develop on earth.

I wish to say just a few words about socialist democracy and bourgeois democracy. One has to revert to this question now and again because there is a good deal of confusion in the minds of the workers, peasants, and all the toiling people of the western countries. Bourgeois propaganda is doing everything to prevent the people from getting the right idea of socialist democracy.

History offers a wealth of evidence for drawing comparisons between socialist democracy and bourgeois democracy. The point is to see objectively and without bias which democracy accords with the vital interests of the working people and promotes international friendship and peace. Does bourgeois democracy do that? No, it does not! Under bourgeois democracy, power is, in point of fact, in the hands of a handful of exploiters who are interested in preserving and consolidating their privileges, oppressing millions of workers and plundering the weaker peoples. Bourgeois democracy offers mankind no way out of the tragic impasses into which capitalism has landed

them. It is seeking to slur over the contradictions of capitalist society; this is why we regard bourgeois democracy as one of the means the bourgeois ruling classes need now to dupe the masses.

Socialist democracy is a different thing. It insures the true rule by the people and the active participation of all the working people in deciding all the questions involved in running the state and the national economy. The workers, peasants, and all the working people of the socialist countries are the true masters of their destinies. They are shaping a new life for themselves and their children and are working with self-abnegation in the name of this great goal. Socialist democracy assures the working people the opportunity of widely sharing in running the country and in solving all the most important political and economic problems. The working people of the socialist countries are making extensive use of the freedom of speech and the freedom of the press in order to build socialism and communism still more effectively. In so doing, they are governed by their own interests and by the interests of hundreds of millions of people.

At this All German Workers Conference, I should like to deal with the question of a peace treaty with Germany. It is known that the Soviet Government has put forward the proposal to conclude a peace treaty with the GDR and the Federal Republic of Germany. I will not take long in dealing with this question. The proposal has been made, and we are waiting for a reply. From our point of view, it would be better to sign the treaty with the two existing German states but should this not take place, we will have to sign a peace treaty with the GDR. What is wrong about that? Which is better, no peace treaty or one with the GDR? The signing of a peace treaty with the GDR will be of great constructive importance. The German people will get the long awaited peace treaty. Should the Government of the Federal Republic of Germany decline to sign a peace treaty, the position of the Federal Republic will become more complicated. Indeed, any honest person will have a legitimate question: Why is the Government of the Federal Republic of Germany unwilling to sign the peace treaty? That must be because it wants to keep up the state of cold war in order to start a hot war at an opportune moment. It is afraid of ending the cold war, because if there is none, NATO may well fall to pieces.

Our proposals for the conclusion of a peace treaty with the GDR and the Federal Republic of Germany, as well as the proposal for making West Berlin a free city, are said to have caused some disquiet among certain sections of the population of West Germany and West Berlin. But is there any reason for that disquiet? What will happen to West Berlin if it becomes a free city? Will the order of things change there? To this question one can reply: Nothing bad will happen. No one is going to make the population of West Berlin accept a scheme of things unacceptable to them. If they like the capitalist order of things, let it continue, by all means. Evidently the conditions are not ripe as yet for a new scheme of things there. As the saying goes, each vegetable has its season.

In our peaceful competition with capitalism, we shall influence the minds and hearts of the workers of the world by our achievements in the cause of socialist construction. In the near future we shall surpass the richest and most powerful capitalist countries in per capita

production. We shall cut down the working day still further and gain further achievements in scientific and cultural development. All the people in the capitalist countries will then become still more convinced of the advantages of the socialist system and will decide for themselves whether they should tolerate the capitalist regime in their own countries any longer.

Comrades, the supreme task for all of us at the present time is to preserve peace. The forces of peace, far from being weaker than the forces of war, are even somewhat stronger. The forces of peace are growing all over the world with each passing day, and the future, undoubtedly, is with them. The preservation and consolidation of the unity and cohesion of the working-class of the whole world, including that of West Germany, are of particular importance for the battle of peace and against war. The German working class has suffered much because of its disunity. That was its real misfortune. In Germany, there always were so many trends and hues in the labor movement that—as the Russian saying goes—the devil himself would break a leg before he makes head or tail of it. The German bourgeoisie quite cleverly used this lack of working class unity for its own purposes. The division of the working class helps the imperialists to maneuver in order to perpetuate their rule. And I think that none of us wants to help the capitalists, and therefore we should give serious thought to uniting the efforts of the working class, of the working people in all countries in the interests of strengthening further the cause of peace and socialism.

I like very much the words of August Bebel: If the enemy praises you, think what folly you have committed, think what is he praising you for. I am happy that we communists need not trouble ourselves about this because we have never heard any praise from the capitalist world. I sincerely wish you the same.

Talking with representatives of the capitalist world I sometimes hear such remarks: Why, you want to put all of Germany under Walter Ulbricht, but he is an impossible person, one cannot come to terms with him. I greet my friend, Comrade Ulbricht, for having such a firm character and for resolutely defending the interests of the working class, the interests of the entire German people. I am proud of the fact that our friend, Comrade Walter Ulbricht, who loyally serves the working class, is not frightened by the difficulties involved in the struggle for the cause of the toiling people of Germany. In this case the invective of the capitalists sounds as praise, as a reward for staunchness and courage.

I also recall that capitalist leaders stated more than once that they considered it impermissible for Otto Grotewohl to head the government of the entire German state. As for myself, I consider that that would not be a bad thing, even a very good thing. But if the people in West Germany are not prepared for that as yet, there must be no hurry. For the time being, let there exist two states. The GDR, a state of the workers and peasants, and capitalist West Germany.

Peaceful competition should develop between these two states. Today a West German worker still earns somewhat more perhaps, but this "honeymoon" is already drawing to a close. Capitalist paralysis, crisis phenomena which lead to the shrinking of production and to

the closing of factories and mines and the sacking of workers is beginning to develop on an ever increasing scale in West Germany.

We workers, the toiling people, must be fully conscious of our class interests and rally our ranks more closely. We must be able to come to terms with our class brothers, to display a maximum of will and patience, exploit every means to convince those who today do not understand us yet. This is a case for will, ability, reason. But the capitalist world is a different proposition. In this case one must be on one's guard and not slide from class positions.

Dear friends, this is the first time in 40 years that I have seen such an audience as yours. Only in the first years after the 1917 revolution did we have meetings attended by communists and mensheviks and social revolutionaries and representatives of other parties. Your conference, too, is attended by communists and social democrats as well as representatives of other parties and nonparty people. I think that you hold differing opinions, differing views. And I am ready to listen exhaustively and patiently to each one of you. I have patience, but I would not be frank if I failed to tell you that, communist that I am, I will parry to the best of my ability everything I cannot agree with.

In conclusion, allow me to thank you once more for the cordial reception and attention. We are leaving today for Berlin and thence for the Soviet Union. I am very pleased with the visit to the Leipzig fair, and meetings with the people and with business circles. I am especially touched by the fact that you invited me to your conference and allowed me to listen to you, and to speak to you.

Friends, to the last beat of our hearts we shall be loyal to the working class, to the toiling people; we shall always fight for its freedom and happiness, for the triumph of the teaching of Marxism-Leninism, for the construction of a communist society! Long live proletarian solidarity! Long live the German working class which will free the peoples from the fetters of capitalism and establish a world in which the means of production will be common property, will belong to all the people, and consequently the exploitation of man by man will be abolished, where all men will be brothers. And that is what communism will be! Long live communism! Long live world peace!

*Address by Premier Khrushchev to a Rally in East Berlin, March 9, 1959<sup>1</sup>*

Dear comrades and friends, inhabitants of Berlin, the capital of the GDR, permit me to thank the Central Committee and the Berlin area committee of the SED and Comrade Walter Ulbricht personally, Comrade Paul Verner, the Council of Ministers of the GDR, and Comrade Otto Grotewohl personally, and the national council of the National Front of Democratic Germany and Prof. Correns personally for the opportunity given to us once more to meet the inhabitants of Berlin.

During our stay in Leipzig and here in Berlin, we have heard many good words addressed to the USSR and our people. I have had the opportunity for much conversation with the most varied people, citizens of the GDR and of the German Federal Republic. I am

<sup>1</sup> East German broadcast, March 9, 1959.

bound to say that all Germans with whom I have talked without exception wish peace between the nations and friendship with the USSR.

Obviously, they are expressing the opinion of the absolute majority of the German people.

Permit me to convey to you the most cordial fraternal greetings in the name of the workers, the collective peasants, the intelligentsia, and in the name of all working people of the USSR to you and through you to the entire population of the GDR.

I should like to express my thanks for the cordial words which have been addressed to our country and our people. Our people consider the working people of the GDR their close friends, their brothers in the struggle for the great ideals of Marx, Engels, and Lenin. We march together with them in a common front toward the noble goal of mankind—toward communism. We are marching on by closing our ranks ever more firmly, and we fear no obstacles whatsoever. No enemy can halt us if we remain faithful to our fraternal friendship and if we continuously strengthen our socialist solidarity.

The USSR, the GDR, and all socialist countries are the most convinced and resolute fighters for peace in the world.

In order to safeguard peace and to strengthen friendly relations with all peoples and states, it is necessary to liquidate the cold war, to eliminate the remnants of the Second World War, to remove the tensions from the international atmosphere, and to create relations wherein the peoples throughout the world will understand each other better and live without fear of the morrow. We will do everything to contribute to the creation of such relations.

An important step toward a healthy international situation would be a peace settlement with Germany. This question has matured. The German people and all peoples of the world expect this solution. Could it possibly be considered normal that 14 years after the end of the war there has still been no peace treaty signed between Germany and the states which took part in that war? The conclusion of a peace treaty and the liquidation of the occupation regime in West Berlin would further a rapprochement between the two existing German states and create the opportunity for the peaceful development of all of Germany. The conclusion of a peace treaty would eliminate many of the causes which are producing mistrust in the relations between the states and would thus strengthen peace and the security of the peoples.

Unfortunately, we see no desire on the part of the ruling circles of the Western powers to conclude a peace treaty as soon as possible and contribute toward the liquidation of the occupation regime. However, we are not abandoning the hope that our proposals will meet with due understanding in all countries and we shall not slacken our efforts to achieve a solution to these questions as early as possible.

Those opposed to the conclusion of a peace treaty intend to conceal from the people their secret intentions. Although they speak of peace efforts, they are in fact trying to maintain the remnants of the past war, exploiting the fact that no peace treaty has yet been concluded in order to turn the cold war at an opportune moment into a real, hot war. The policy of these statesmen does not meet with the

approval of the people; the people of their own countries as well as the people of the whole world condemn them.

It might seem that everyone should be interested in the conclusion of a peace treaty. However, our Western allies in the war against Hitlerite Germany, together with the government of the German Federal Republic, now jointly oppose the conclusion of such a treaty. The odd situation has arisen in which the state whose leading personages are expressing the will of the German militarists has become the ally of our allies who waged war together with us against Hitlerite Germany; and it turns out that this ally is now clinging to the coattails of our former allies, obstructing the elimination of the remnants of the war and the signing of the peace treaty.

The revisionist politicians in West Germany want to delay the signing of a peace treaty in order to obtain atomic weapons and, if they succeed, to be better able to prepare the German public for a new war. The forces making a stand against war, however, are increasing in West Germany. The German people want real guarantees of peace. That is why the people are showing more sympathy for the appeals of those who advocate the signing of a peace treaty than for nebulous considerations regarding the so-called solution of the German question in all its aspects. What bright person could explain the meaning being given to this term? After all, anyone can find as many aspects as one likes. The people, however, expect a concrete and real solution of the German question. The most important step toward this is the conclusion of a peace treaty with the two German states which really exist and have gained international recognition.

The signing of a peace treaty would also mean the solution of the West Berlin question, which as part of Greater Berlin forms part of the territory of the German Democratic Republic. When we discussed the question of doing away with the remnants of the occupation regime in West Berlin and the normalization of the situation in the city, we took into account the fact that in the postwar years different economic and political conditions have developed in West Berlin than in the GDR. We view matters in a sober manner and we understand that the integration of West Berlin in the GDR would cause a painful break with the customary way of life of the people of West Berlin. The Soviet Union therefore put forward the proposal to accord West Berlin the status of a free city. Realization of this proposal would cause no change whatever in the existing situation in West Berlin except for the elimination of the occupation regime. The present social system would remain. No change whatever would take place in the conditions of social life.

Some people in the West express the fear that someone would threaten the freedom and independence of West Berlin. Such fears are of course devoid of any foundation. We suggested nevertheless that the great powers guarantee the independence and free development of the free city. No state, including the two German states, must interfere in the internal affairs of the free city. We have no objection to the United Nations cooperating in such guarantees.

If necessary, we would even agree to the United States, Great Britain, France, and the USSR, or neutral countries, maintaining some sort of minimum number of troops in West Berlin to guarantee its status of free city, but with no right to interfere in the internal affairs of the city. If such guarantees exist, nobody would dare to

disturb the independent life of the free city. Whoever wants really to eliminate all causes which produce tensions and conflicts cannot but admit that our proposals are sensible and acceptable.

Some statesmen of the Western powers declare that they will not give way one inch in the burning question. However, gentlemen, permit me to ask what kind of giving way are you talking about? Surely our proposal does not demand that anybody give anybody else one inch in the Berlin question. We propose to maintain in West Berlin the conditions of life which have arisen there without any changes, because the population is to be free of the occupation regime. Therefore, nobody need give way to anybody or to advance.

We want but one thing: to eliminate a dangerous center of tension in the center of Europe and to create the conditions for a quiet and normal life in West Berlin. If the Western powers are wishing well—not only in words, but also in deeds—for the population of West Berlin, then they will accept the Soviet proposal, especially since actual conditions for its realization exist.

The only possible difficulty in solving this question would be an objection from the GDR, on whose territory West Berlin is situated. However, this difficulty does not arise because the government of the GDR, which deeply wants the normalization of the situation in Berlin,<sup>1</sup> has given its solemn agreement to declare West Berlin a free city and has expressed its readiness to guarantee the city's unhampered links with the outside world. This is without a doubt a serious concession on the part of the GDR.

Those who advocate continuing the occupation regime in West Berlin are spreading various fairytales. They allege that the GDR wants to conquer West Berlin. This is open slander against the GDR. It causes surprise that some leading personalities of the West Berlin Senate, whom, it is said, the Lord himself has ordered to protect the interests of the city and its inhabitants, are advocating the continuation of the occupation of West Berlin by foreign troops.

Permit me to ask: By what interests are they guided? We are told that our proposals cannot be accepted because the necessary trust does not yet exist between the countries of the socialist camp and the Western powers. True, this confidence for the time being does not exist, but this is no argument for the refusal to conclude a peace treaty. This would mean that, with the existing tension in the international situation, we would not conclude a peace treaty at all with the GDR and the German Federal Republic. However, the international situation will naturally not improve as long as there are states in the center of Europe with which no peace settlement has yet been achieved. This kind of logic can lead to a dangerous cul-de-sac and have bad consequences for peace.

The question of the direction of the further development of Germany concerns not only the interests of the German people but also the interests of millions of people throughout the world. People cannot remain indifferent if German militarism, which has twice thrown mankind into disastrous wars, is once more raising its head and already constitutes a real danger to the European peoples. The policy of the West German revisionists is also fraught with grave danger for the German people.

<sup>1</sup> These English used "Germany" instead of "Berlin".

Any attempt by the German militarists to put into practice their plans for revenge may lead to West Germany becoming the theater of an atomic war, with all the consequences arising from it. All this must be realistically taken into account and everything must be done to tighten the reins on the revenge politicians.

People are beginning once more to make speculations on the subject of the creation of military political axes. The press has already referred to the so-called Bonn-Paris axis, but it must be said that this is not a new subject in history. People remember the Berlin-Rome axis, the Berlin-Tokyo axis, the Tokyo-Rome axis, and the Berlin-Rome-Tokyo triangle only too well. All the axes were broken and thrown on the garbage heap of history.

Yet it must not be forgotten that the imperialists, with their axes, threw the world into a bloody war in which millions of people lost their lives. Do certain statesmen of the West now dreaming of new axes want to repeat this sad experience of history? Do they want to start again with these axes and end with the same thing with which this policy ended in the past? Surely, one must have enough sense to understand that we do not live at a time when one can with impunity pursue a policy which leads to a situation that could unleash the conflagration of a third world war.

The proposal to transform West Berlin into a demilitarized free city has met with comprehensive support, but there are also people who believe that one should declare not only the Western part of Berlin but also the Eastern one a free city. Obviously, these people forget that Berlin is the capital city of the GDR.

Obviously, they would like to include, after East Berlin, the entire territory of the GDR in the free city. They have big appetites. It would be much more logical to speak of including the entire territory of Berlin in the GDR. I repeat. This would be just. You must understand that I am not submitting such a proposal but that I am only saying this in order to show the whole absurdity of the proposals to transform all of Berlin into a free city.

We believe that such considerations do not stand up to criticism. They are unrealistic and could at best only complicate the solution of the question of the creation of a free city in the Western part of Berlin. Now they are even trying to threaten us by saying that the Western powers, should the peace treaty be concluded with the GDR, would take countermeasures and would not even stop at the use of force. We will not be intimidated by saber rattling.

We are not among the fainthearted, and we are ready to give the due rebuff to any attempt to use force against us or our friends. Gentlemen, you should therefore be a little more careful with the use of all these "ifs" and "buts" and of threats. You hint at the use of military means, but do not forget that we also have such means. They have been created for the very purpose of preventing the hotheads from losing their heads. They should not lose their heads and be careful with words, particularly with deeds.

We want everybody to understand clearly: Our proposals to conclude a peace treaty with both German states and to liquidate the occupation regime in West Berlin are dictated by the desire to separate<sup>1</sup> the armed forces of the two camps and to normalize the situa-

<sup>1</sup> That is English need "disengage" instead of "separate".

tion in this part of the world. We spare neither labor nor energy<sup>1</sup> in order to eliminate the dangerous situation which has now arisen in Germany. May the imperialists then try to prove to the people that they are acting in their interests by making an attempt to continue the state of war in the center of Europe.

Should the Western powers refuse to sign a peace treaty with both German states, we shall still sign a peace treaty with the GDR. We shall do so whether Herr Adenauer likes it or not. His policy will then be unmasked once and for all as the policy of preparing war. We are convinced that the people will not tolerate this because it knows from personal experience to what disastrous consequences this policy leads. The German people will have the strength and the will. It will proclaim: There must be no war!

The statesmen of the Western powers say that they are devoted to peace and prepared to travel to any corner of the world to discuss with the Soviet Government the most topical international problems, including the questions concerning Germany. There is no shortage of statements to this effect. However, as soon as one of these questions is raised by us in a concrete form the Western powers try to evade a solution of these questions.

The leading personages of the Western states maintain that they are prepared to solve the German question since this will help insure European security. When the Soviet Union put forward concrete proposals for a peace settlement with Germany and the elimination of the obsolete occupation conditions in the Western sectors of Berlin, the Western powers started to take every measure to obstruct the conclusion of a peace treaty with the two German states and the normalization of the situation in Berlin.

It is difficult to understand this stand of the leaders of the Western powers, hearing their protestation that they desire peace. After all, we propose to solve questions in which the danger of a new military conflict is inherent. The armed forces of the confronting military groupings meet in German territory, especially in Berlin, and the slightest carelessness on any side may produce the spark which starts a blaze over it and explodes the powderkeg.

We want to separate the contacts so as not to cause the spark and so as not to confront the world with the danger of the greatest disaster - a third world war. Such is the position.

Today I received at the Soviet embassy Erich Ollenhauer, chairman of the West German Social Democratic Party. We discussed a number of questions with him. The most important place was naturally taken by an exchange of views on the conclusion of a peace treaty and the liquidation of the occupation regime in West Berlin.

The German workers movement gave the world Marx and Engels. It produced such outstanding leaders of the working class as August Bebel, Clara Zetkin, Karl Liebknecht, Rosa Luxemburg, Ernst Thaelmann, and many others known throughout the world as fighters for the cause of the working class, for peace. The German Social Democrats were once the model for the working class of all countries. I want the German Social Democrats of our time to understand well their responsibility before history, before the working class, and to direct their efforts to the solution of those questions which are of

<sup>1</sup>This in English quoted Khrushchev as saying "We shall not spare forces or energy".

vital interest to the working class and the entire German people. There is now no more important question than the safeguarding of peace, the creation of conditions which would exclude the start of a new war. Not only the German working class, the German people, are interested in this, but all people in the world. In present conditions a sober understanding of the existing situation is expected from the German Social Democrats, and if they do not show this understanding, if they do not do everything for the welfare of the people and for peace, history will never forgive them.

Our generation has been set the great historic task of leading mankind out of the sinister cul-de-sac of bloody wars into which imperialism has led it. The bright perspective of peaceful life is opening up before mankind, but it would be dangerous to underestimate the threat to peace. The people must be very vigilant concerning the machinations of the aggressive imperialist forces. One does not wait for peace. Peace is defended by struggle. Only steadfast struggle against the war danger can safeguard peace in the world.

Long live the GDR, the bulwark of peace and democracy in Germany! Long live the friendship between the German people and the people of the USSR! Long live peace throughout the world! Friendship, friendship, friendship!<sup>1</sup>

*Report by President Eisenhower to the American People, on Security in the Free World, March 16, 1959<sup>2</sup>*

[Extract]

My Fellow Americans, tonight I want to talk with you about two subjects:

One is about a city that lies four thousand miles away.

It is West Berlin. In a turbulent world it has been, for a decade, a symbol of freedom. But recently its name has come to symbolize, also the efforts of Imperialistic Communism to divide the free world, to throw us off balance and to weaken our will for making certain of our collective security.

Next, I shall talk to you about the state of our nation's posture of defense and the free world's capacity to meet the challenges that the Soviets incessantly pose to peace and to our own security.

First, West Berlin.

You have heard much about this city recently, and possibly wondered why American troops are in it at all.

How did we get there in the first place? What responsibilities do we have in connection with it and how did we acquire them?

Why has there developed a situation surrounding this city that poses another of the recurring threats to peace that bear the stamp of Soviet manufacture?

Let's begin with a brief review of recent history.

We first acquired rights and responsibilities in West Berlin as a result of World War II. Even before the war ended, when the defeat and capitulation of Nazi Germany were in sight, the Allied Powers, including the Soviet Union, signed agreements defining the areas of occupation in Germany and Berlin which they would assume.

<sup>1</sup> Khrushchev said the last three words in German.

<sup>2</sup> Delivered over radio and television. White House news release, March 16, 1959.

As a result, Germany and the City of Berlin were each divided into four zones, occupied by American, British, French and Soviet troops, respectively.

Under the wartime agreements I have mentioned, the Western Allies entered into occupation of West Berlin and withdrew our Armies from the Soviet Zone. Accordingly, the boundary of the Soviet Zone, like our presence in Berlin, was established upon the basis of these same agreements.

Also by agreement among the occupying powers, the Western Allies—the United States, the United Kingdom, and France—were guaranteed free access to Berlin.

Here in my office is a map of Germany. The light portion of the map is West Germany—the darker portion is East Germany. The lighter gray lanes are the air corridors to Berlin—and the dotted lines show both the main roads and railroads that give us access to the city. Notice that the City of Berlin is one hundred and ten miles inside East Germany; that is, it is one hundred and ten miles from the nearest boundary of West Germany.

Here is the territory, now in East Germany that was taken by our Army in World War II and was turned over to the Russians by political agreement made before the end of the War.

Now at the end of World War II our announced purpose and that of our wartime associates was the pacification and eventual unification of Germany under freedom.

We jointly agreed to undertake this task. Ever since that time, the United States has continuously recognized the obligation of the Allied Governments under international law to reach a just peace settlement with Germany and not to prolong the occupation of Germany unnecessarily.

The public record demonstrates clearly that such a settlement has been frustrated only by the Soviets. It quickly became evident that Soviet leaders were not interested in a free unified Germany, and were determined to induce or force the Western Powers to leave Berlin.

Ten years ago Senator John Foster Dulles, now our great Secretary of State, described the basic purpose of the Soviet government. He said that purpose was, and now I am quoting: "no less than world domination, to be achieved by gaining political power successively in each of the many areas which had been afflicted by war, so that in the end the United States, which was openly called the main enemy, would be isolated and closely encircled." That is the completion of the quotation.

The current Berlin effort of the Soviets falls within this pattern of basic purpose.

The first instance of unusual pressure, clearly evidencing these purposes, came in 1948 when the Communists imposed a blockade to force the protecting Western troops out of Berlin and to starve the people of that City into submission.

That plan failed. A free people and a dramatic airlift broke the back of the scheme.

In the end the Communists abandoned the blockade and concluded an agreement in 1949 with the Western Powers, reconfirming our right of unrestricted access to the city.

Then, last November, the Soviets announced that they intended to repudiate these solemn obligations. They once more appear to be living by the Communist formula that "Promises are like pie crusts, made to be broken."

The Soviet Government has also announced its intention to enter into a peace treaty with the East German puppet regime. The making of this treaty, the Soviets assert, will deny our occupation rights and our rights of access. It is, of course, clear that no so-called "peace treaty" between the Soviets and the East German regime can have any moral or legal effect upon our rights.

The Soviet threat has since been repeated several times, accompanied by various and changing suggestions for dealing with the status of the city. Their proposals have included a vague offer to make the Western part of Berlin—though not the Eastern part, which the Soviets control—a so-called "free city."

It is by no means clear what West Berlin would be free from, except perhaps from freedom itself. It would not be free from the ever present danger of Communist domination. No one, certainly not the two million West Berliners, can ignore the cold fact that Berlin is surrounded by many divisions of Soviet and Eastern German troops and by territory governed by authorities dedicated to eliminating freedom from the area.

Now a matter of principle—the United States cannot accept the asserted right of any government to break, by itself, solemn agreements to which we, with others, are parties. But in the Berlin situation, both free people and principle are at stake.

What, then, are the fundamental choices we have in this situation?

First, of course, there is the choice which the Soviet rulers themselves would like us to make. They hope that we can be frightened into abdicating our rights—which are indeed responsibilities—to help establish a just and peaceful solution to the German problem—rights which American and Allied soldiers purchased with their lives.

We have no intention of forgetting our rights or of deserting a free people. Soviet rulers should remember that free men have, before this, died for so-called "scraps of paper" which represented duty and honor and freedom.

The shirking of our responsibilities would solve no problems for us. First, it would mean the end of all hopes for a Germany under government of German choosing. It would raise among our friends the most serious doubts about the validity of all the international agreements and commitments we have made with them in every quarter of the globe. One result would be to undermine the mutual confidence upon which our entire system of collective security is founded.

This, the Soviets would greet as a great victory over the West.

Obviously, this choice is unacceptable to us.

The second choice which the Soviets have compelled us to face, is the possibility of war.

Certainly, the American and Western peoples do not want war. The whole world knows this. Global conflict under modern conditions could mean the destruction of civilization. The Soviet rulers, themselves, are well aware of this fact.

But all history has taught us the grim lesson that no nation has ever been successful in avoiding the terrors of war by refusing to defend its rights—by attempting to placate aggression.

Whatever risk of armed conflict may be inherent in the present Berlin situation, it was deliberately created by the Soviet rulers.

Moreover, the justice of our position is attested by the fact that it is ardently supported with virtual unanimity by the people of West Berlin.

The risk of war is minimized if we stand firm. War would become more likely if we gave way and encouraged a rule of terrorism rather than a rule of law and order. Indeed, this is the core of the peace policy which we are striving to carry out around the world. In that policy is found the world's best hope for peace.

Now our final choice is negotiation, even while we continue to provide for our security against every threat. We are seeking meaningful negotiation at this moment. The United States and its allies stand ready to talk with Soviet representatives at any time and under any circumstances which offer prospects of worth-while results.

We have no selfish material aims in view. We seek no domination over others—only a just peace for the world and particularly, in this instance, for the people most involved.

We are ready to consider all proposals which may help to reassure and will take into account the European peoples most concerned.

We are willing to listen to new ideas and are prepared to present others. We will do everything within our power to bring about serious negotiations and to make these negotiations meaningful.

Let us remind ourselves once again of what we cannot do.

We cannot try to purchase peace by forsaking two million free people of Berlin.

We cannot agree to any permanent and compulsory division of the German nation, which would leave Central Europe a perpetual powder mill, even though we are ready to discuss with all affected nations any reasonable methods for its eventual unification.

We cannot recognize the asserted right of any nation to dishonor its international agreements whenever it chooses. If we should accept such a contention the whole process of negotiations would become a barren mockery.

We must not, by weakness or irresolution, increase the risk of war.

Finally, we cannot, merely for the sake of demonstrating so-called "flexibility" accept any agreement or arrangement which would undermine the security of the United States and its Allies.

The Soviet note of March 2nd appears to be a move toward negotiation on an improved basis. We would never negotiate under a dictated time limit or agenda, or on other unreasonable terms. We are, with our Allies, however, in view of the changed tone of the Soviet note, concerting a reply to that note.

It is my hope that thereby all of us can reach agreement with the Soviets on an early meeting at the level of Foreign Ministers.

Assuming developments that justify a summer meeting at the Summit, the United States would be ready to participate in that further effort.

Our position, then, is this: We will not retreat one inch from our duty. We shall continue to exercise our right of peaceful passage to and from West Berlin. We will not be the first to breach the peace; it is the Soviets who threaten the use of force to interfere with such free passage. We are ready to participate fully in every sincere

effort at negotiation that will respect the existing rights of all and their opportunity to live in peace.

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Today's Berlin difficulty is not the first stumbling block that International Communism has placed along the road to peace. The world has enjoyed little relief from tension in the past dozen years. As long as the Communist empire continues to seek world domination we shall have to face threats to the peace, of varying character and location. We have lived and will continue to live in a period where emergencies manufactured by the Soviets follow one another like beads on a string.

Whatever the length of that period, we shall have to remain continuously ready to repel aggression, whether it be political, economic or military. Every day our policies of peace will be subjected to test. We must have steadiness and resolution, and firm adherence to our own carefully thought-out policies.

We must avoid letting fear or lack of confidence turn us from the course that self-respect, decency and love of liberty point out. To do so would be to dissipate the creative energies of our people upon whom our real security rests. This we will never do.

Now to build toward peace and maintain free world security will require action in every field of human enterprise. It can only be done by the nations of the Free World working together in close cooperation, adjusting their differences, sharing their common burdens, pursuing their common goals. We are carrying out just such an effort. We call it mutual security.

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*Note from the American Embassy to the Soviet Foreign Ministry,  
Proposing a Foreign Ministers Meeting at Geneva, March 26,  
1959<sup>1</sup>*

The Government of the United States refers to the note of the Government of the USSR of March 2, 1959, in response to the United States note of February 16 proposing a conference of the Ministers of Foreign Affairs of France, the USSR, the United Kingdom and the United States.

The United States Government has consistently favored meetings of interested powers that could provide opportunities for conducting serious discussions of major problems and could be an effective means of reaching agreement on significant subjects. It was for this reason that the United States Government in its note of February 16 proposed a meeting of the Foreign Ministers of France, the USSR, the United Kingdom and the United States. The United States Government notes with satisfaction the Soviet Government's agreement to such a meeting.

Specifically, the United States Government proposes that a meeting of France, the USSR, the United Kingdom and the United States at the Foreign Minister level be convened in Geneva on May 11, 1959, to consider questions relating to Germany, including a peace treaty with Germany and the question of Berlin. Naturally, any of the four participating governments should have the opportunity to pre-

<sup>1</sup> Department of State press release 223, March 26, 1959.

sent its views on any question which it may consider relevant to the problems under consideration. The purpose of the Foreign Ministers meeting should be to reach positive agreements over as wide a field as possible, and in any case to narrow the differences between the respective points of view and to prepare constructive proposals for consideration by a conference of Heads of Government later in the summer. On this understanding and as soon as developments in the Foreign Ministers meeting justify holding a Summit Conference, the United States Government would be ready to participate in such a conference. The date, place and agenda for such a conference would be proposed by the meeting of Foreign Ministers. The conference of Heads of Government could consider and if possible resolve some wider problems such as those referred to in the Soviet Government's note of March 2 and in previous communications from the United States Government and where necessary establish machinery for further negotiation on these problems.

The United States Government fully recognizes that Poland and Czechoslovakia, like a number of other countries, have a legitimate and direct interest in certain matters which will be discussed in the conference. The possibility of the participation of other countries at a certain stage in negotiations could therefore be contemplated. However, the United States Government believes that the proposed meeting should at least at the outset involve only the four powers responsible for Germany. The United States Government also notes that the Soviet Government agrees with the proposal made in its note of February 16 that German advisors should be invited to the meeting on May 11 and be consulted.

The Government of the United States in proposing a Foreign Ministers meeting on May 11 understands that the Soviet Government would find Geneva a suitable location. The Government of the United States will, therefore, inquire of the Government of Switzerland to determine if this place and time would be convenient and also of the Secretary General of the United Nations to ascertain if the facilities of the United Nations in Geneva can be made available.

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*Four-Power Communiqué on Meetings at Washington, April 1, 1959<sup>1</sup>*

The Foreign Ministers of France, the Federal Republic of Germany, and the United Kingdom, and the Acting Secretary of State of the United States have concluded a series of useful meetings in Washington March 31 and April 1. They reviewed the report of the Quadripartite Working Group, which met in Paris from March 9 to 21, as a basis in preparing for the foreign ministers conference with the Soviet Union scheduled to be held in Geneva beginning May 11. They provided guidance to the Quadripartite Working Group for its next series of meetings scheduled to begin in London on April 13. The Ministers decided on the form of a report which will be made to the NATO Council Thursday afternoon.

The Ministers conducted their discussions concerning Berlin on the basis of their declaration contained in the Four-Power Communiqué

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<sup>1</sup> Department of State press release 240, April 1, 1959.

on Berlin issued in Paris December 14, 1958—with which the North Atlantic Council associated itself.

The Ministers agreed to meet again in Paris beginning April 29 in further preparation for the conference with the Soviet Union. A report on the substance of those discussions will be made to the North Atlantic Council. All these preparations are based on a sincere desire to negotiate constructively with the Soviet Union in the interests of world peace.

*Address by President Eisenhower, April 4, 1959<sup>1</sup>*

[Extract]

Now I turn to one other case, where the hard realities of living confront us with still a further challenge. I refer to West Berlin, a city of over 2 million people whose freedom we are pledged to defend.

Here we have another problem but not a unique one. It is part of a continuing effort of the Communist conspiracy to attain one overriding goal: world domination.

Against this background we understand that the mere handing over of a single city could not possibly satisfy the Communists, even though they would particularly like to eliminate what has been called the free world's showcase behind the Iron Curtain. Indeed, if we should acquiesce in the unthinkable sacrifice of 2 million free Germans, such a confession of weakness would dismay our friends and embolden the Communists to step up their campaign of domination.

The course of appeasement is not only dishonorable; it is the most dangerous one we could pursue. The world paid a high price for the lesson of Munich, but it has learned the lesson well.

We have learned, too, that the costs of defending freedom—of defending America—must be paid in many forms and in many places. They are assessed in all parts of the world—in Berlin, Viet-Nam, in the Middle East, here at home. But wherever they occur, in whatever form they appear, they are first and last a proper charge against the national security of the United States.

Because mutual security and American security are synonymous.

These costs are high, but they are as nothing to those that would be imposed upon us by our own indifference and neglect or by weakness of spirit.

And though weakness is dangerous, this does not mean that firmness is mere rigidity, nothing but arrogant stubbornness. Another fact, basic to the entire problem of peace and security, is that America and her friends do not want war. They seek to substitute the rule of law for the rule of force, the conference table for the battlefield.

These desires and their expressions are not propaganda. They are aspirations felt deeply within us; they are the longings of entire civilizations based upon a belief in God and in the dignity of man. Indeed, they are the instinctive hopes that people feel in all nations, regardless of curtains. People everywhere recoil from the thought of war as much as do any of us present here in this peaceful gathering.

<sup>1</sup> Made at the Gettysburg College convocation at Gettysburg, Pennsylvania. Department of State Bulletin, April 27, 1959, p. 582.

Tensions are created primarily by governments and individuals that are ruthless in seeking greater and more extensive power. Berlin is a tension point because the Kremlin hopes to eliminate it as part of the free world. And the Communist leaders have chosen to exert pressure there at this moment. Naturally they always pick the most awkward situation, the hard-to-defend position, as the place to test our strength and to try our resolution. There will never be an easy place for us to make a stand, but there is a best one.

That best one is where principle points. Deep in that principle is the truth that we cannot afford the loss of any free nation, for whenever freedom is destroyed anywhere we are ourselves, by that much, weakened. Every gain of communism makes further defense against it harder and our security more uncertain.

\* \* \* \* \*

*Note from the Soviet Union to the United States, Protesting High-Level Flights in the Frankfurt-Berlin Air Corridor, April 4, 1959<sup>1</sup>*

[Unofficial translation]

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics on the instruction of the Soviet Government deems it necessary to bring the following to the notice of the Government of the United States of America.

On March 27 a C-130 type American transport plane, going from West Germany to Berlin along the air corridor lying over the territory of the German Democratic Republic, rose to a height of 7,000 meters, which is a crude violation of the existing procedure of flights along this route. The demonstrative character of this violation is evident from the very fact that the American representative in the Berlin Air Safety Center, which regulates flights of foreign airplanes between Berlin and the Federal Republic of Germany, was informed in good time by the Soviet side about the inadmissibility of the flight of the said plane at a height of more than 3,050 meters, which is the maximum for flights of the Western powers using the air corridors. Moreover, this same airplane, completing on the same day a return trip from Berlin to West Germany, again flew at a height twice exceeding the usual ceiling of flights in the air corridors, although a protest was made by the official Soviet representative to the U.S. representative against the violation of flight rules which had taken place.

One cannot help noting that the violations by American planes of the existing procedure and established practice of flights over the territory of the German Democratic Republic are undertaken at that moment when agreement has been reached concerning the carrying out soon of negotiations between East and West on the question of Berlin and other questions having prime significance for the cause of peace. All this is taking place after the U.S. Government through its Ambassador in Moscow declared at the time of the transmittal of the note on the question of the planned negotiations that in its opinion unilateral actions of any Government in the period of preparation for the forthcoming conferences will hardly help their successful

<sup>1</sup> Department of State Bulletin, May 4, 1959, p. 634.

outcome.<sup>1</sup> Analogous statements were made also by the Governments of other powers which are allies of the United States of America in NATO. It would seem that after such statements the Government of the United States of America ought also to have acted accordingly by avoiding everything that could complicate the effectuation of the understanding about the carrying out of the conferences.

In the light of these facts the premeditated violations by American planes of the existing procedure of air communications with Berlin is difficult to evaluate otherwise than as an effort by the U.S. to worsen conditions for the meeting of Ministers of Foreign Affairs, if not in general to torpedo the understanding attained about the carrying out of negotiations between East and West.

As for the Soviet Union, for its part not only will nothing be permitted which could worsen the situation on the eve of negotiations, but everything is being done to facilitate the conduct of these negotiations. It goes without saying that the Soviet Government has the firm intention right up to these negotiations to adhere to the existing procedure and established practice of communications along the lines of communication between Berlin and West Germany.

In calling the attention of the U.S. Government to the dangerous character of the actions of the American authorities in Germany, the Soviet Government would like to emphasize that the U.S. Government will bear all responsibility for the violation of the conditions of safety of air flights in the airspace of the German Democratic Republic and the possible complications connected with this.

The Soviet Government expresses the hope that the U.S. Government will adopt measures which would exclude the possibility of complications of this type and will for its part facilitate creation of a favorable atmosphere for the conduct of negotiations between East and West on urgent international questions, the solution of which is being awaited by the peoples who are vitally interested in the preservation and strengthening of peace.

*Note from the American Embassy to the Soviet Foreign Ministry,  
Rejecting Soviet Efforts to Limit the Height for Flights in the  
Frankfurt-Berlin Air Corridor, April 13, 1959<sup>2</sup>*

The Embassy of the United States of America has been instructed to reply as follows to the note of the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics, No. 25/OSA, dated April 4, 1959 protesting the routine flight of a United States aircraft in the Frankfurt-Berlin air corridor on March 27.

The United States Government rejects the Soviet contention that flights above 10,000 feet are precluded by regulations covering flights in the corridors, and that the flight of the C-130 aircraft in question, duly notified to the Soviet Element in accordance with established practice, constituted a violation of presently existing rules. As stated in letters of June 6 and September 8, 1958 from the United States representative to the Soviet representative in the quadripartite Berlin Air Safety Center, flights by aircraft of the United States do not

<sup>1</sup> Statement made by Ambassador Llewellyn Thompson at the time of delivery of the U.S. note of Mar. 26 regarding the foreign ministers meeting on the problem of Germany.

<sup>2</sup> Department of State press release 265, April 13, 1959.

require any prior agreement from the Soviet Element, and the United States never has recognized and does not recognize any limitation to the right to fly at any altitude in the corridors. As has been previously pointed out, the altitude at which aircraft fly is determined in accordance with the meteorological conditions prevailing at the time and the operational characteristics of the aircraft. The Government of the Soviet Union, having itself put into service aircraft (such as the TU 104) technical characteristics of which require flight at higher altitudes than those formerly in use, will appreciate the influence of such factors on operating altitudes of United States aircraft. While for some time to come the majority of corridor flights will, under normal circumstances, be made below 10,000 feet, whenever weather or the operational characteristics of equipment require, additional flights at higher altitudes will be undertaken. There can be no doubt that improved air navigational facilities and procedures provide adequate safety for such flights.

The flight by Soviet aircraft in dangerous proximity to the United States C-130 on March 27, as witnessed by thousands of persons in the Berlin area, constituted not only a serious violation of the flight regulations that obtain in the air corridors and the Berlin Control Zone but intentionally created the very hazard to flight safety about which the Soviet representatives have professed concern.

The United States Government fully appreciates the importance of safety of flight through the corridors and acknowledges that its maintenance is a matter of mutual interest to the Soviet authorities in Germany.

The conditions of flight safety can be met if the latter will act in accordance with established procedures and separate their aircraft from Western flights notified to them. Although the right of United States aircraft to fly in the corridors to Berlin does not depend upon advance notice to or permission of the Soviet Element, the flight plan of the C-130 in question was passed to the Soviet Element in the Berlin Air Safety Center sufficiently in advance to provide ample time to notify aircraft likely to be in the vicinity as the C-130 passed through.

Further, the suggestion that the Government of the United States of America is seeking to complicate the carrying out of the agreement which has been reached on holding a Foreign Ministers' Conference is not consonant with the facts of the situation.

On the contrary, it is the Soviet Union which is creating doubt as to its intentions by attempting unilaterally to assert a "right", never recognized by the Western Powers, to forbid flights to Allied aircraft at altitudes above 10,000 feet and by permitting Soviet fighter aircraft to harass United States aircraft in a way dangerous to their safety and to the lives of their crews.

The United States expects the Soviet Government promptly to issue instructions to its personnel in Germany to ensure fulfillment of their responsibility for flight safety in the air corridors to Berlin.

## APPENDIXES

### APPENDIX I

#### *Analysis by the Department of State of the Soviet Note on Berlin, January 7, 1959<sup>1</sup>*

##### I. PREWAR DEVELOPMENTS

###### *Soviet Allegations . . .*

The Soviet note states that prior to World War II the Soviet Union displayed constant willingness to establish cooperation with the other powers with the object of resisting Hitlerite aggression and that, if the Western powers had not been shortsighted in their hopes of turning Hitler eastward and had cooperated with the U.S.S.R., millions of lives would have been saved. The note says:

It is common knowledge that the USA, as well as Great Britain and France, by no means immediately came to the conclusion that it was essential to establish cooperation with the Soviet Union with the purpose of counteracting Hitlerite aggression, although the Soviet Government constantly indicated its readiness to do so. \* \* \*

Had the Western powers followed a more far-sighted policy, such cooperation between the Soviet Union, the USA, Great Britain, and France could have been established much sooner, in the first years after Hitler seized power in Germany, and then there would have been no occupation of France, no Dunkirk, no Pearl Harbor. Then it would have been possible to save millions of human lives sacrificed by the peoples of the Soviet Union, Poland, Yugoslavia, France, Britain, Czechoslovakia, the USA, Greece, Norway, and other countries to curb the aggressors. \* \* \*

It is evident that the bitter lessons of the murderous war have been lost on certain Western statesmen, who are once again dragging out the notorious Munich policy of inciting German militarism against the Soviet Union, their recent comrade in arms.

###### *The Facts Are . . .*

1. The U.S.S.R. established diplomatic relations with Germany in 1923 and assisted in building up a new German war machine which had been prohibited by the Versailles Treaty after World War I.

2. From 1930 to 1933 the Soviet Union, through its international Communist arm, the Comintern, directed the German Communist Party to collaborate with the Nazis and other extremists in undermining the German Weimar Republic. It helped sabotage democratic

<sup>1</sup> *The Soviet Note on Berlin An Analysis* (Department of State publication 6757), pp. 1-31. Released January 7, 1959. For the text of the Soviet note of November 27, 1958, see *supra*, pp. 317 ff.

parties and institutions and promoted lawlessness and disorder. This aided Hitler's rise to absolute power.

3. In 1933, after Hitler came to power, the U.S.S.R. and Germany exchanged ratifications of an extended neutrality pact.

4. The U.S.S.R. signed 8 credit and commercial agreements with Germany between 1922 and 1933. During Hitler's ascendancy after 1933 the U.S.S.R. concluded 12 more agreements with the Nazi regime at the time when Hitler was building up his military power.

5. The U.S.S.R. turned aside from negotiations with the United Kingdom and France in August 1939 and concluded the Molotov-Ribbentrop agreements which provided the necessary guarantees for coordinated Nazi-Soviet aggression in Eastern Europe and resulted in World War II.

6. In spite of warnings from the Western powers of impending German attack, the Soviet Government aided Nazi Germany until Hitler marched against it in 1941.

7. In April 1941 the U.S.S.R. signed a neutrality pact with the Japanese ally of Hitler, thereby clearing the way for the Pearl Harbor attack on the United States on December 7, 1941.

8. The United States, the United Kingdom, and Canada provided large quantities of vital war materials to the U.S.S.R. during the war. This aid underscored prompt political support from the United States the day after Hitler attacked Russia in June 1941.

By the treaty of April 18, 1922, the Soviet Union obtained *de jure* recognition from Germany, including mutual cancellation of financial claims and most-favored-nation treatment. It established diplomatic relations with the Weimar Republic on July 23, 1923.

From that time until the breaking of diplomatic relations on June 22, 1941, the Soviet Union not only maintained normal diplomatic and economic relations with Germany but also assisted in building up a new German war machine.

Official records of the Weimar Republic show that from 1922 to 1934 the Soviet Union enabled Germany to violate secretly the disarmament provisions of the Versailles Treaty by training German fliers and tankmen in special schools on Soviet soil and by furnishing Germany with ammunition, aircraft engines, and poison gases.

On April 24, 1926, the Soviet Union signed a neutrality pact with Germany. This pact provided one party was to remain neutral if the other were attacked. Each nation promised not to join any coalition against the other in case of attack or to join in economic sanctions against the other if imposed by the League of Nations. This neutrality pact was extended on June 24, 1931, and this extension was ratified on May 5, 1933, after Hitler's assumption of power.

Despite the change of attitude by the U.S.S.R. after Hitler's suppression of the German Communist Party, there was no lessening of the large-scale German-Soviet economic collaboration. This arrangement was accompanied by a temporary improvement of relations between the U.S.S.R. and the democratic countries. The U.S.S.R. was admitted to the League of Nations in 1934 and concluded a mutual assistance pact with France in 1935.

Following the disillusionment of the Munich conference of 1938, the French and British Governments sought to block German aggression toward the East. They guaranteed the integrity of Poland and Rumania early in 1939. In April 1939 the United Kingdom and

France, on their own initiative, began military negotiations with the U.S.S.R. which continued into the summer.

These Western negotiations with the U.S.S.R. were undercut by the signature of the Molotov Ribbentrop agreements of August 23, 1939, which replaced the Soviet-German neutrality pact of 1926 with a 10-year nonaggression pact. The new agreements provided the necessary guarantees for coordinated German and Soviet aggression in Eastern Europe. The immediate victims were Finland, Poland, Rumania, and the Baltic States.

The German attack on Poland came 8 days after the signature of the Nazi-Soviet pact. Great Britain and France, faithful to their obligations to Poland, declared war on Germany on September 3, 1939. The U.S.S.R. occupied major parts of Poland on September 17, 1939.

In a note to the Polish Government on September 18, 1939, the Soviet Union said:

The Polish-German war has revealed the internal insolvency of the Polish State. The Polish Government has fallen to pieces and shows no sign of life. This means that the Polish State and its Government have virtually ceased to operate.

Treaties concluded between the U.S.S.R. and Poland have thereby ceased to operate. Abandoned to her fate and left without leadership, Poland has become a fertile field for any accidental and unexpected contingency which may create a menace to the U.S.S.R.

On October 31, 1939, Molotov summarized Soviet views on the international situation in unusually frank terms. He said:

However, one swift blow to Poland, first by the German and then by the Red Army, and nothing was left of this ugly offspring of the Versailles Treaty which had existed by oppressing non-Polish nationalities.

In the past few months such concepts as "aggressor" and "aggression" have acquired a new concrete connotation, a new meaning. It is not hard to understand that we can no longer employ these conceptions in the sense we did, say, 3 or 4 months ago.

Today, as far as the European Great Powers are concerned, Germany is in the position of a state that is striving for the earliest termination of the war and for peace, while Britain and France, which but yesterday were declaiming against aggression, are in favor of continuing the war and are opposed to the conclusion of peace. The roles, as you see, are changing.

Efforts of the British and French Governments to justify their new position on the grounds of their undertakings to Poland are, of course, obviously unsound. Everybody realized that there can be no question of restoring the old Poland. \*\*\* The real cause of the Anglo-French war with Germany was not that the British and French had vowed to restore old Poland, and not, of course, that they decided to undertake a fight for democracy. The ruling circles of Britain and France have, of course, other and more actual motives for going to war with Germany.

These motives do not lie in any ideology but in their profoundly material interests as mighty colonial powers.

It is fear of losing world supremacy that dictates to the ruling circles of Great Britain and France the policy of fomenting war with Germany. Thus the imperialist character of this war is obvious to any one who wants to face realities and does not close his eyes to facts. \*\*\*

But there is absolutely no justification for a war of this kind. One may accept or reject the ideology of Hitlerism as well as any other ideological system; that is a matter of political views.

Relations between Germany and the other West European bourgeois states have in the past two decades been determined primarily by Germany's efforts to break the fetters of the Versailles Treaty, whose authors were Great Britain and France, with the active participation of the United States. This, in the long run, led to the present war in Europe.

On September 28, 1939, the German Reich had concluded a series of treaties with the U.S.S.R. which contained secret protocols formalizing the partition of Poland and recognizing Lithuania as being in the Soviet sphere of influence, in return for a boundary "rectification" in favor of Germany.

Commenting on the continuation of the war, Molotov said on March 29, 1940:

Germany \*\*\* has evidently become a dangerous competitor for the principal imperialist powers of Europe—Great Britain and France. They therefore declared war on Germany under the pretext of fulfilling their obligations to Poland. It is now clearer than ever how far the real aims of the governments of these powers are from the purpose of defending disintegrated Poland or Czechoslovakia. This war is to smash and dismember Germany, although this aim is still being concealed from the masses of the people under cover of slogans of defending "democratic countries" and the "rights" of small nations.

Inasmuch as the Soviet Union refused to become an abettor of England and France in this imperialist policy toward Germany their hostility toward the Soviet Union became still more pronounced. \*\*\*

As a matter of fact, the rights and interests of small countries are just so much small change in the hands of the imperialists.

The U.S.S.R. attacked Finland in December 1939. Soviet moves against Lithuania, Latvia, and Estonia came in June 1940. Bessarabia and Northern Bukovina were taken from Rumania that same month.

The Soviet Union also concluded an entire series of economic agreements with Germany. Between 1922 and 1933 the Soviet Union and Germany signed 6 credit and commercial agreements, while during the period 1933-1941, when Hitler was either accelerating his war preparations or actively engaged in aggression, the Soviet Union entered into 12 credit and commercial agreements with the Nazi regime.

Of these commercial agreements with Germany, Molotov commented on May 31, 1939:

While conducting negotiations with Britain and France, we by no means consider it necessary to renounce business relations with countries like Germany and Italy.

Ignoring its own role in building up Hitler, the Soviet Government now accuses the United States of being his sponsor. According to Russia's *Encyclopedic Dictionary*, volume 3 (1955) :

The imperialists of the United States favored the Hitlerites in seizing power in Germany (1933) and connived at the German-Italian intervention against the Spanish Republic (1936-1939), the Italian aggression against Ethiopia (1935-1936) and the seizure of Austria by Hitlerite Germany (1938). They assisted in the conclusion of the shameful Munich agreement (1938) and encouraged Japanese aggression in China. The United States carried on a policy of connivance at the fascist aggression with the purpose of directing it against the U.S.S.R. The policy of the United States contributed to unleashing of World War II of 1939-1945 (pages 254-255).

This statement is the exact opposite of the Soviet view at the time these events were happening. The 1941 *Small Soviet Encyclopedia*, volume 9, states:

From the very beginning Roosevelt took a distinctly negative attitude toward Hitlerite Germany and other fascist powers (page 240).

From the beginning of the war in Europe (September 1939) the United States officially declared its neutrality, but the Government refused to accept either the German aggression in Europe or the Japanese aggression in China (page 901).

The *Encyclopedic Dictionary*'s statement is also the exact opposite of the comments of Alexander A. Troyanovsky, first Soviet Ambassador to the United States (1934-1939), in his book *Why the United States Wages War Against Hitlerite Germany*, published in Moscow in 1942:

The idea of international struggle against aggression was not alien to the United States. U.S. Secretary of State Stimson made attempts to carry out a collective action against aggression in connection with the Far East events in 1931-1932. \*\*\* President Roosevelt did not miss any occasion to state his position for peace, against employing force in international relations. One day before the conclusion of the Munich agreement of September 29, 1938 which led to a violent dismemberment of Czechoslovakia, the President of the United States in a message to the U.S.S.R. Government, suggested that our peace-loving country influence the fascist aggressors and impel them to give up the [policy] of "employing force" with regard to Czechoslovakia (pages 56-57).

Soviet collaboration with the Nazis began to break down seriously only toward the end of 1940 when the Soviets, rejecting a German proposal that the Soviet Union focus its expansion only southward toward the Indian Ocean, tried unsuccessfully to obtain German recognition of Soviet hegemony in Finland and Bulgaria, with Soviet bases on the Turkish Straits as well as in the area south of Batum and Baku (the Middle East). Yet, in spite of Nazi-Soviet differences in these negotiations, the U.S.S.R. in January 1941 made a new economic agreement with Germany, increasing still further Soviet exports of important raw materials to Germany for the conduct of the war. The Soviet Union gave recognition to the aggression of Nazi Germany by breaking diplomatic relations with Yugoslavia in

1941 and, subsequent to the German occupations, also broke relations with Greece, Norway, and Belgium.

In contrast, the United States and the United Kingdom made their attitude toward Nazi aggression clear by establishing working relations with the Free French and maintaining diplomatic relations with the governments-in-exile of other occupied countries.

In March 1941 the United States on two occasions warned the U.S.S.R. that it had received authentic information that Nazi Germany planned to attack the Soviet Union, and Prime Minister Churchill warned Stalin to the same effect in late April. But the U.S.S.R. had just shown its continued solidarity with Hitler by signing, on April 13, 1941, a neutrality pact with the Japanese partner of the Berlin Rome-Tokyo Axis, thus clearing the way for Pearl Harbor.

It was only when Hitler attacked his Soviet ally in June 1941 that the U.S.S.R. sought Western cooperation in resisting Nazi Germany. In spite of the Soviet record of collaboration with Hitler, the Western powers immediately acceded to Soviet requests for assistance. On the very day following the German attack on the U.S.S.R., the Acting Secretary of State of the United States stated publicly that "any defense against Hitlerism, any rallying of the forces opposing Hitlerism, from whatever source these forces may spring, will hasten the eventual downfall of the present German leaders, and will therefore redound to the benefit of our own defense and security." Less than 6 months later the United States was fighting Germany as an ally of the Soviet Union.

In addition to their own direct contributions to the defeat of the Axis Powers, the Western nations made vital shipments of large quantities of war material to the U.S.S.R. In spite of losses to Nazi submarines, a great quantity of planes, tanks, and munitions arrived in the U.S.S.R. In a rare moment of praise for its wartime allies, the Soviet Government announced on Radio Moscow and in leading Soviet newspapers, on June 10 and 11, 1944, the receipt of these supplies from the United States, the United Kingdom, and Canada during the period from October 1, 1941, to April 30, 1944. Among the items mentioned were:

- 12,056 aircraft from the U.S. and U.K.
- 8,026 tanks from the U.S. and U.K.
- 116 naval craft
- 37,407 motor trucks and military personnel carriers
- 17,017 motorcycles from the U.K.
- 22,400,000 shells
- 87,900 tons of gunpowder
- 245,000 telephone sets

## II. WORLD WAR II AND POSTWAR DEVELOPMENTS

### *Soviet Allegations . . .*

The Soviet note states that the Western Allies had a "joint concerted policy" toward Germany in World War II. It maintains that, if these policies had been continued, as inaugurated by President Roosevelt, there would have been peaceful coexistence after the war. Instead, according to the Soviet note, the atmosphere was poisoned

by Winston Churchill and others seeking an aggressive course against the U.S.S.R. The note says:

This is the sad pass to which has come, after the 13 postwar years, the once joint and concerted policy of the Four Powers—the U.S.S.R., the United States, Great Britain, and France—with regard to Germany. \* \* \*

The policy of the Western Powers, however, was increasingly influenced by forces obsessed with hatred for Socialist and Communist ideas but which concealed during the war their hostile designs against the Soviet Union. As a result, the course was set in the West toward the utmost aggravation of the ideological struggle headed by aggressive leaders, opponents of the peaceful coexistence of states. The signal for this was given to the United States and to other Western countries by W. Churchill in his notorious Fulton speech in March 1946. \* \* \*

The Soviet Government deeply regrets that events took such a turn, since this prejudices the cause of peace and runs counter to the natural desire of peoples for peaceful coexistence and friendly cooperation. There was a time when the leaders of the United States and Great Britain, in particular Franklin D. Roosevelt, the outstanding American statesman, reflecting the sentiment of the mass of the people, proclaimed the necessity of creating such a system of mutual relations between states under which the nations would feel secure and people everywhere could live all their lives without fear.

### *The Facts Are . . .*

1. In wartime agreements the Allied nations stated two fundamental policies: They pledged to defeat the enemy, and they declared they would strive for recovery from the war, continuing wartime cooperation.

2. A heavy price was paid to defeat the enemy.

3. Instead of implementing the wartime agreements, the U.S.S.R. proceeded to carry out its own plans for Communist expansion in Eastern Europe and prevented or delayed wherever possible the actions of the Western powers to promote economic recovery in Germany and all of Europe.

4. These Soviet actions, which contradicted Soviet pledges, destroyed the good will felt for the U.S.S.R. and convinced Western governments of the need for defense against Soviet expansionism.

5. Stalin declared the "cold war" on the West in 1946 by asserting that the wartime alliance with the West was dictated by expediency. He predicted wars between capitalist states and said the Communists would achieve domination over other people.

The wartime policies of the Allied nations toward Germany were defined in terms of waging war successfully and achieving peace and recovery thereafter.

1. The Declaration by United Nations of January 1, 1942, states:

The Governments signatory hereto,

Having subscribed to a common program of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the Atlantic Charter.

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world,

**DECLARE:**

(1) Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such government is at war.

(2) Each Government pledges itself to cooperate with the Governments signatory hereto and not to make a separate armistice or peace with the enemies.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

2. The Anglo-Soviet-American communique of November 1, 1943, following the Moscow Conference of Foreign Ministers, states

Second only to the importance of hastening the end of the war was the unanimous recognition by the three Governments that it was essential in their own national interests and in the interest of all peace-loving nations to continue the present close collaboration and cooperation in the conduct of the war into the period following the end of hostilities, and that only in this way could peace be maintained and the political, economic and social welfare of their peoples fully promoted.

3. The agreement establishing the United Nations Relief and Rehabilitation Administration, signed November 9, 1943, states in article I, paragraph 2:

Subject to the provisions of Article VII, the purposes and functions of the Administration shall be as follows:

(a) To plan, coordinate, administer or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provisions of food, fuel, clothing, shelter and other basic necessities, medical and other essential services; and to facilitate in such areas, so far as necessary to the adequate provision of relief, the production and transportation of these articles and the furnishing of these services. The form of activities of the Administration within the territory of a member government wherein that government exercises administrative authority and the responsibility to be assumed by the member government for carrying out measures planned by the Administration therein shall be determined after consultation with and with the consent of the member government.

4. The Crimean (Yalta) Conference of the United Kingdom, the U.S.S.R., and the United States, February 4-11, 1945, stated in positive terms in a Declaration on Liberated Europe:

To foster the conditions in which the liberated peoples may exercise these rights, the three governments will jointly assist the peoples in any European liberated state or former Axis satellite state in Europe where in their judgment conditions require (a) to establish conditions of internal peace; (b) to carry out emergency measures for the relief of distressed peoples; (c) to form interim

governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people, and (d) to facilitate where necessary the holding of such elections.

These agreements show that the wartime Allies, including the USSR, were agreed on basic principles to govern their postwar conduct, namely, establishment of a just and stable world order, relief of distressed peoples, and rehabilitation of war-devastated areas.

However, the USSR refused to carry out specific proposals to implement the agreements and proceeded to carry out its own plans throughout Soviet-occupied Eastern Europe. For example, instead of cooperating with the Western Allies in the Allied Control Council (the supreme Allied body in postwar Germany) in providing a minimum economic standard essential for survival and future recovery of the German people, the USSR delayed and avoided decisions and finally walked out of the ACC in March 1948.

In the postwar conferences of Foreign Ministers, the Soviet Union concentrated on procedural matters such as priority of agenda items and blocked Western proposals while Moscow-trained Communists, backed by the Soviet Army, usurped power in Rumania, Bulgaria, Hungary, Albania, Czechoslovakia, Poland, and East Germany. In 1947 at Moscow the Soviet Union refused to disclose basic information about its zone of occupation in Germany, leading to suspicions, later proved correct, that vast areas were being stripped of every transportable item for shipment to the USSR. These facts help explain the unwillingness of the Soviet authorities to cooperate in establishing a balanced economy for Germany as agreed upon at Potsdam. This was a most serious setback to recovery in Europe and to development of a self-supporting German economy, even at a minimum level.

The fate of the Eastern European states, which were forced to become satellites because of the presence or proximity of Soviet military forces, demonstrates the difference between pledges of the Soviet Union at Yalta and its subsequent actions.

The United States could not avoid interpreting these Soviet deeds as indicative of the real policies of the USSR in spite of Soviet promises and pronouncements. Soviet disregard for solemn agreements and principles shattered the good will felt for the USSR among the American people and convinced every Western government of the need for defense against the threat of further Soviet expansionism.

The "cold war" was declared and the Communist postwar line set by Stalin in his Moscow speech of February 9, 1946. In this speech Stalin made it clear to the world that the wartime alliance with the Western powers had been dictated by expediency and was not to be interpreted as an indication that cooperation between the Soviet Union and its former allies was lasting or would continue.

He reminded his listeners that Communist doctrine considered that war was inevitable until capitalist countries had been taken over by Communist parties, and he outlined the economic plans by which the Soviet Union should lay the basis on which it could fight the "inevitable" future war.

He boasted of the might of the Soviet state and of its wartime achievements and informed the world that the Soviet Union would

not rest content with the victory in World War II. His demand for recognition that "the Soviet social order is a form of organization, a society superior to any non-Soviet social order" was not lost on non-Soviet peoples. They clearly discerned the renewal of the Communist call for maximum efforts by Communist partisans to achieve domination over all the peoples of the world.

### III. POSTWAR RELATIONS WITH GERMANY

#### *Soviet Allegations . . .*

The Soviet note charges the Western Allies with violation of the political and economic provisions of the interallied agreements, particularly the Potsdam Agreement. It contends that these violations were a part of the Western "aggravation of the ideological struggle" and Western "war preparations." The Western Allies, it says, worked actively to prevent the peaceful unification of Germany and West Germany's leaders were militarists who made plans to unify Germany by force.

The note goes on to state that East Germany is governed under a constitution in "the finest progressive traditions of the German nation" and has made great "democratic and social gains." The Western powers, it states, used their presence in West Berlin to "pursue subversive activity" against Russia and the satellites, whereas, by contrast, the quadripartite agreement on Berlin was "scrupulously observed by the Soviet Union."

The note claims that, during the entire postwar period, despite aggravations and war preparations by the West, the Soviet Union remained a firm supporter of policies of "peaceful coexistence," "non-interference" in the affairs of other states, and respect for the "sovereignty and territorial integrity" of other countries. The note says:

The participants in the Potsdam Conference expressed their determination to prevent any fascist and militaristic activity or propaganda. They also understood to permit and encourage all democratic political parties in Germany. \* \* \*

The Potsdam Agreement contained important provisions whereby Germany was to be regarded as a single economic entity, even during the occupational period. The agreement also provided for the creation of central German administrative departments. \* \* \*

The policy of the USA, Britain, and France with respect to West Germany has led to the violation of those provisions of the Potsdam Agreement designed to ensure the unity of Germany as a peace loving and democratic state. And when a separate state, the Federal Republic of Germany, was set up independently [of the Soviet Union] in West Germany, which was occupied by the troops of the Three Powers, East Germany, where forces determined not to allow the German people to be plunged once again into disaster assumed the leadership, had no alternative but to create in its turn an independent state. \* \* \*

State and public affairs in the German Democratic Republic are governed by a constitution fully in keeping with the principles of the Potsdam Agreement and the finest progressive traditions of the German nation. \* \* \*

The Soviet Union stands for complete noninterference in the internal affairs of the German people, or in those of any other people. \*\*\*

The Soviet Union, as well as other states interested in strengthening peace in Europe, supports the proposals of the German Democratic Republic for the peaceful unification of Germany. The Government of the USSR regrets that none of the efforts made in this direction has as yet produced any positive results, since the governments of the United States and other NATO members, and, above all, the Government of the FRG, do not, in fact, display any concern either for the conclusion of a peace treaty or for the unification of Germany. \*\*\*

Actually, of all the Allied agreements on Germany, only one is being carried out today. It is the agreement on the so-called quadripartite status of Berlin. On the basis of that status, the Three Western Powers are ruling the roost in West Berlin, turning it into a kind of a state within a state and using it as a center from which to pursue subversive activity against the GDR, the Soviet Union, and the other parties to the Warsaw Treaty. The United States, Great Britain, and France are freely communicating with West Berlin through lines of communication passing through the territory and the airspace of the German Democratic Republic, which they do not even want to recognize.

The governments of the Three Powers are seeking to keep in force the long since obsolete part of the wartime agreements that governed the occupation of Germany and entitled them in the past to stay in Berlin. At the same time, as stated above, the Western Powers have grossly violated the Four Power agreements, including the Potsdam Agreement, which is the most concentrated expression of the obligations of the Powers with respect to Germany.

The Four Power status of Berlin came into being because Berlin, as the capital of Germany, was designated as the seat of the Control Council established for Germany's administration during the initial period of occupation. This status has been scrupulously observed by the Soviet Union up to the present time, although the Control Council ceased to exist as early as ten years ago, and there have been two capitals in Germany for a long time. As for the USA, Great Britain, and France, they have chosen to abuse in a flagrant manner their occupation rights in Berlin and have exploited the Four-Power status of the city for their own purposes to the detriment of the Soviet Union, the German Democratic Republic, and the other Socialist countries.

### *The Facts Are . . .*

1. The stated purposes of postwar agreements between the Allies on Germany were to eliminate vestiges of the Third Reich, to prevent rebirth of aggressive forces, and to chart a course by which Germany could recover its respect and play a constructive role in international affairs.

2. Long before the signature of the Potsdam Protocol, embodying these principles, in August 1945, the USSR began its efforts to turn Germany into a Soviet satellite. It selected, trained, and repatriated individuals who later became the political and military leaders of the East German regime.

5. Before the Western powers occupied their sectors in Berlin, the Soviet Army had licensed political parties and subjected them to control through traditional Communist mechanisms. These still obtain in East Germany today.

6. Nevertheless the victorious powers negotiated the Potsdam Protocol, which contained both negative features (demilitarization, denazification, and reparations) and positive features (elected local governments, unified administration, democratic rights for all citizens, balanced economic treatment, and an eventual peace treaty to settle the war). The U.S.S.R. refused to carry out these positive principles.

7. The United States did not wish Germany to become a Soviet satellite. It urged economic recovery in Europe as a whole.

8. The U.S.S.R. sidestepped an American proposal for a 40-year nonaggression pact guaranteeing against a recurrence of German military aggression. The Soviets opposed economic recovery in Europe. They walked out of the four power Allied Control Council for Germany and instituted the Berlin blockade in 1948 to try to force the Western Allies out of the city.

9. In Berlin the Soviets forced the split in the city and set up a rump government in East Berlin to oppose the duly elected government of the city.

10. Despite the lack of Soviet cooperation, the Western powers proceeded to carry out the Potsdam Protocol in their own zones in West Germany. Following free elections and the adoption of an approved Basic Law (constitution), the Federal Republic was established.

11. The Soviets proclaimed the so-called German Democratic Republic in 1949. No free elections have ever been held.

12. The Communists continue to prevent free circulation of information and to control movement of citizens in East Germany and between East and West Germany. They justify this action on grounds of preventing "fascist aggression" and "outside provocation" by "espionage agencies" in West Berlin.

The stated purpose of postwar agreements was to achieve a better world in the future and to secure the peace. In Germany this meant (a) to eliminate vestiges of the Third Reich and to prevent rebirth of aggressive forces and (b) to chart a course of action by which Germany could regain its self-respect and play a constructive role in international affairs.

Even before the Potsdam Protocol was signed, the U.S.S.R. began its efforts to turn Germany into a satellite of the Soviet Union. Groups of German Communists had been in training in the U.S.S.R. all during the war. Their future leaders, Wilhelm Pieck, Walter Ulbricht, Karl Maron, Lothar Bolz, and others, were working closely with the Comintern and the Soviet Army waiting for the entry of Soviet forces into Germany. These men have headed the East German regime since its establishment in 1949, and between 1945 and 1949 they were among the principal officials serving under the Soviet occupation forces in East Germany.

The National Committee for Free Germany, a Soviet-sponsored organization of captured German officers and soldiers, was organized on July 7, 1943, to provide Communist political indoctrination for German prisoners of war in the U.S.S.R. and to form cells among military men as a basis for future German rearment under Soviet auspices. Prominent graduates of the so-called "Antifa School"

(Antifascist School) at Krasniy Gorsik who subsequently received leading positions in East Germany included. Wehrmacht Colonel Luitpold Steidle, later Minister for Health; Wehrmacht Major General Vincenz Mueller, later Lieutenant General and Chief of Staff of the East German armed forces; Wehrmacht Major General Otto Korfes, later a political leader in the National Front in East Germany and responsible for organizing former German army officers; Major Egbert von Frankenberg und Proschlitz, now the military commentator of the East German radio and a leading member of the National Democratic Party, which was established in 1948 by the Soviets as the party for former soldiers and Nazi party members; Wehrmacht Lieutenant General Arno von Lenski, now a Major General in the East German army and its leading expert on tank warfare; former regimental commander Bernhard Bechler, who is now Deputy Chief of Staff of the East German forces; and Wehrmacht Lieutenant General Hans Wulz, now a Major General in the East German armed forces and city commandant in East Berlin.

The Soviet Army for a brief period during May and June 1945 was the sole occupier of Berlin. On June 10, 1945, three weeks before the first U.S. elements entered Berlin, the Soviet occupation authorities licensed four political parties in the city, namely the Communists, the Social Democrats, the Christian Democratic Union, and the Liberal Democrats. The next day these four parties were brought under the Antifascist Democratic Bloc, a Soviet device to control the leaders and programs of these parties and to limit their freedom to those political actions approved by the Communists and the U.S.S.R.

Thus the outline and organization for Soviet policies in Germany in the military and political spheres was accomplished even before the victorious powers could meet to discuss their plans and to agree on implementing the stated principles of the wartime coalition.

Nevertheless, the Berlin (Potsdam) Conference of the Heads of Government of the U.S.S.R., the U.K., and the United States met from July 17 to August 2, 1945, to consider a wide range of international problems, including a set of principles with respect to Germany which should be followed to accomplish the aims of the wartime Allies.

The Potsdam Protocol, dated August 1, 1945, included both negative features of Allied purposes (demilitarization, denazification, and reparations) and positive provisions to show the Allied nations and Germany that there was a future for the German people. The following are quotations from the positive features of the Potsdam Protocol:

\* \* \* The judicial system will be reorganized in accordance with the principles of democracy, of justice under law, and of equal rights for all citizens without distinction of race, nationality or religion.

\* \* \* The administration of affairs in Germany should be directed towards the decentralization of the political structure and the development of local responsibility. To this end:

\* \* \* local self-government shall be restored throughout Germany on democratic principles and in particular through elective

councils as rapidly as is consistent with military security and the purposes of military occupation;

\* \* \* all democratic political parties with rights of assembly and of public discussion shall be allowed and encouraged throughout Germany;

\* \* \* representative and elective principles shall be introduced into regional, provincial and state (Land) administration as rapidly as may be justified by the successful application of these principles in local self-government;

\* \* \* for the time being, no central German Government shall be established. Notwithstanding this, however, certain essential central German administrative departments, headed by State Secretaries, shall be established, particularly in the fields of finance, transport, communications, foreign trade and industry. Such departments will act under the direction of the Control Council.

\* \* \* Subject to the necessity for maintaining military security, freedom of speech, press and religion shall be permitted, and religious institutions shall be respected. Subject likewise to the maintenance of military security, the formation of free trade unions shall be permitted.

\* \* \* During the period of occupation Germany shall be treated as a single economic unit. To this end common policies shall be established in regard to:

- (a) mining and industrial production and allocations;
- (b) agriculture, forestry and fishing;
- (c) wages, prices and rationing;
- (d) import and export programs for Germany as a whole;
- (e) currency and banking, central taxation and customs;
- (f) reparation and removal of industrial war potential;
- (g) transportation and communications.

In applying these policies accounts shall be taken, where appropriate, of varying local conditions.

\* \* \* Allied controls shall be imposed upon the German economy but only to the extent necessary:

(a) to carry out programs of industrial disarmament and demilitarization, of reparations, and of approved exports and imports.

(b) to assure the production and maintenance of goods and services required to meet the needs of the occupying forces and displaced persons in Germany and essential to maintain in Germany average living standards not exceeding the average of the standards of living of European countries. (European countries means all European countries excluding UK and USSR.)

(c) to ensure in the manner determined by the Control Council the equitable distribution of essential commodities between the several zones so as to produce a balanced economy throughout Germany and reduce the need for imports.

(d) to control German industry and all economic and financial international transactions, including exports and imports, with the aim of preventing Germany from developing a war potential and of achieving the other objectives named herein.

(e) to control all German public or private scientific bodies, research and experimental institutions, laboratories, etcetera, connected with economic activities.

\* \* \* \*

\* \* \* Measures shall be promptly taken:

- (a) to effect essential repair of transport;
- (b) to enlarge coal production,
- (c) to maximize agriculture output; and
- (d) to effect emergency repair of housing and essential utilities.

The four commanders in chief of the Allied armies in Germany were responsible for carrying out the political and economic principles of the Potsdam Protocol, each in his own zone of occupation, and also jointly, in matters affecting Germany as a whole, as members of the Allied Control Council. Almost from the beginning it became evident that the Soviet representatives, Marshal Zhukov and later Marshal Sokolovsky, were determined to prevent implementation of the positive principles of the Potsdam Protocol—they would agree to principles but then refuse to implement specific proposals to carry out the concepts. Although they agreed to do so, they refused to promote German reconstruction, waging a campaign of delay and diversion. For example, in December 1945, when the U.S. and U.K. commanders proposed opening zonal borders to the travel of Germans, Marshal Sokolovsky agreed in principle but said that practical application at the moment was impossible. The United States and the United Kingdom were unable to elicit his reasons. When the Western powers asked that the Soviet place the manufactures from East Germany in a common pool to meet the cost of essential imports, as provided by the Potsdam Protocol, the Soviets did not deny the agreement but put up a successful delaying action. By such tactics the Allied Control Council was limited in scope to the negative features of the Potsdam Protocol. Numerous ACC decrees on undoing the work of the Nazis were issued, but approval of measures to rebuild Germany and reestablish a minimum economic base for survival and subsequent democratic government was denied and frustrated by the Soviet Union.

This obstructionism, together with the suffering and hopelessness prevalent in Europe and Germany, impelled the American Secretary of State, James F. Byrnes, to restate U.S. objectives and policies at Stuttgart, Germany, on September 6, 1946. Mr. Byrnes said U.S. policy had been consistent with the following guide lines: to defeat Nazi Germany and obtain its surrender; to assure that Germany would not misconstrue the causes and consequences of aggressive war and would not again launch such a war; to encourage revival in Germany of those elements which would be the best guaranty that Germany would become democratic and follow moderate policies, and to unite the German people into one nation under their own leaders.

Secretary Byrnes said

While we shall insist that Germany observe the principles of peace, good neighborliness, and humanity, we do not want Germany to become the satellite of any power or powers or to live under a dictatorship, foreign or domestic. The American people hope to see peaceful, democratic Germans become and remain free and independent.

The Council of Foreign Ministers, meeting at London from November 25 to December 15, 1947, failed to reach agreement on the problems of reunification of Germany and establishment of a central government with which a peace treaty could be negotiated. Basic to failure of the Council of Foreign Ministers was the clear-cut, fundamental issue between the Soviets and the West: postwar economic recovery in Europe and Germany. With the European Recovery Program (Marshall Plan), the United States frankly advocated rehabilitation of the European community into healthy nations strong in government and guarantors of true freedom for the individual against the terror of tyranny. Although aid was offered to Europe as a whole, not just Western Europe, the U.S.S.R. was hostile to economic recovery, obviously preferring continuation of the political and economic vacuum in Europe caused by the havoc of World War II. Consequently, the U.S.S.R. refused to participate itself in the European Recovery Program and kept other European countries, such as Czechoslovakia and Poland, from participating. Instead, it decided to push on with its plans for dividing and weakening Germany. Abolition of the Allied position in Berlin and isolation of the people of West Berlin became the first objectives in the offensive.

The Soviets walked out of the Allied Control Council for Germany on March 20, 1948, and imposed rail and road restrictions on Allied traffic to Berlin from the Western zones on April 1, 1948. The Allies inaugurated a "little airlift" which was expanded to a full airlift on June 26, 1948, two days after the Soviets imposed a total blockade. On June 16, 1948, the Soviets walked out of the Kommandatura (the Allied governing body for Berlin), and on July 1, 1948, the Soviet chief of staff of the U.S.S.R. delegation to the Kommandatura told his British, French, and American colleagues that four-power administration of Berlin no longer existed. The attitude of the Western powers was that an organization established by four-power agreement could not be dissolved unilaterally. In spite of his withdrawal from the Allied Control Council, Marshal Sokolovsky, the Soviet representative on the Council, expressed a curiously similar attitude on June 29, 1948, in a letter to General Clay, the U.S. Commander in Germany. Referring to the informal London conference of June 7, 1948, between representatives of the three Western powers and the Benelux nations on German problems, Marshal Sokolovsky said:

Therefore, any decisions regarding Germany, concluded by one or several of the occupying Powers in Germany without the participation of the Soviet Union, are illegal and without moral authority.

The U.S.S.R. not only disrupted unity on the Allied quadripartite level but also destroyed those united Germany democratic institutions which already existed in 1947-48. An example is the destruction of the political and legal unity of Greater Berlin during 1947-48. First the Soviets interfered in the democratic processes of government in 1947, and then during 1948 they formally and "legally" disrupted the city. A short chronological account follows:

From the beginning of the occupation in 1945, Greater Berlin was considered by the U.S.S.R. and the Western Allies as a single city. There was no "East" or "West" Berlin. The Soviets, taking advantage of their capture of the city, appointed the provisional government of the city and of its subdivisions.

During 1946, in the hope that by this maneuver they could "legitimize" Communist rule in Berlin and in East Germany, the Soviets forced the merger in the East Zone of the SPD (Social Democratic Party) with the KPD (Communist Party) into the SED, the Socialist Unity Party. The intention was to "capture" the Socialist voters of Berlin and the East Zone. The "merger" took place on April 19-20, 1946.

The SPD of Berlin resisted this "merger" and insisted on running under its own name as a separate party in the first postwar Berlin elections of October 20, 1946. In these elections the Communists received a severe defeat, as is shown by the following table of distribution of votes:

SPD (Social Democratic Party).....	48.7%
CDU (Christian Democratic Union).....	22.2
LDP (Liberal Democratic Party).....	9.3
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SED (Socialist Unity Party).....	80.2% Non-Communist vote 19.8% Communist vote

When the first democratically elected city parliament assembled, the Communists had only one one-fifth of the membership. The parliament first elected Mayor Ostrowski (Social Democrat) as Governing Mayor. In April 1947 the parliament repudiated a written agreement by Ostrowski to cooperate with the SED in administering the city's affairs. The parliament voted nonconfidence in him, and Ostrowski resigned. On June 24, 1947, the parliament elected the SPD leader, Ernst Reuter, as Governing Mayor of Berlin. His election conformed to both Allied Kommandatura and Berlin municipal law. The Soviets, however, afraid that Reuter would install officials of his own rather than men of their choice in the city administration, "vetoed" his election. The unified city therefore had no Governing Mayor throughout the greater period of its democratic administration (June 1947-December 1948). In the absence of a Governing Mayor, Deputy Mayor Louise Schroeder conducted the city's affairs.

The city government quite properly insisted on making all civil officials subject to its authority. A struggle broke out immediately over control of the police. The Soviets had installed their representatives in the police, who refused to submit to the legal German controls which had been authorized by the Allied Kommandatura. Instead, the Soviet representatives continued to take orders directly from Soviet (*not* German and *not* Allied) officials. This led to a crisis in the city, in which the Western Allies and the legal municipal government and parliament were all equally opposed to arbitrary Soviet interference in the affairs of the city. In the Western sectors the issue was eventually resolved; in the Soviet Sector, however, the Communist police officials defied to the very end the orders of the Allied Kommandatura and the Berlin Government.

After walking out, on March 20, 1948, from the Allied Control Council for Germany, the Soviets left the Allied Kommandatura for Berlin on June 16, 1948. On June 18, 1948, the three Western Allies, still seeking to carry out the Potsdam decision to re-create a viable German economy and after repeatedly inviting the Soviets to join in four-power control of the issuing bank, carried out a currency reform in the three Western zones. In order not to aggravate matters with the Soviets, the reform was not extended to Berlin. The Soviets, in-

stead of joining the Allies, carried out on June 23, 1948, a separate currency reform in East Germany "and Berlin." Thereupon the Allies extended their reform to the Western sectors of the city. The sequence of significant events in Berlin from June to November 1948, which ended in the division, follows:

On June 23 the Soviets ordered the SED to carry out riots around the City Hall, which was located in the Soviet Sector of Berlin, and brought the demonstrators to the scene in Russian Army trucks. Soviet Marshal Sokolovsky unilaterally issued an order on a minor subject, but he stated it was to apply to "all of Berlin." Only the Allied Kommandatura could legally issue such an order. This usurpation of authority convinced all Germans that the U.S.S.R. was intent on ending quadripartite control of the city.

On June 24 the Soviets imposed a full blockade on the city.

From August 26 to September 6-7 the second City Hall demonstrations were carried out under Soviet instructions and direction.

On October 25 the U.N. Security Council's draft resolution for settling the Berlin crisis was vetoed by the Soviets.

On November 30, while the "blockade" was still in force, the Berlin Communists formally split the city government, establishing a new "rump" government in East Berlin, which promised to legalize its existence by free elections. These were never held.

The vast majority of the legal deputies withdrew to West Berlin. After the municipal elections of December 5, 1948 (which had been announced before the "rump" action and which the Soviets refused to permit in their sector, despite a four-power agreement that they should be held), the elected deputies who could not return to the City Hall in the Soviet Sector constituted themselves a body in West Berlin and elected Ernest Reuter Governing Mayor of the whole city. Their laws, of course, could in practice be enforced only in West Berlin.

This is the story of how the united city of Berlin was divided, the Western part being and remaining democratic under the legally elected government of the whole city, the East becoming a "rump" which was eventually to claim to be the "capital" of the equally undemocratic "German Democratic Republic."

It is over this "Western" Berlin that the struggle is once again being intensified.

With no prospect for obtaining Soviet cooperation in carrying out agreed principles in Europe, in Germany, or in Berlin, and alerted by the Communist coup in Czechoslovakia, the United States and the other Western Allies turned their efforts toward reunification of their zones of Germany. The starting point already existed in the form of bizonal economic cooperation. The Federal Republic was formally proclaimed in September 1949 after democratic elections and adoption of an approved Basic Law. The actions of the Western powers were designed to carry out the provisions of quadripartite agreements in areas in which the Western powers had direct control. An Allied High Commission and other supervisory agencies were established in the West to guide the German efforts toward reestablishment of a unified German state with its own place in international affairs. The steady growth, politically, economically, and in world affairs, of the Federal Republic is recognized by many sovereign nations. The

U.S.S.R. itself maintains diplomatic relations with the Federal Republic.

The promulgation of the so-called German Democratic Republic in October 1949 was justified by the U.S.S.R. and the German Communists as a "response" to the establishment of the Federal Republic. This contention did not deceive anyone. The so-called GDR was established on Soviet orders and not on the basis of self determination. No free elections or free discussion preceded the formation of the regime. The first "elections" were held only in 1950, and these were single-list "elections" conducted under the auspices of the "bloc party" system and the National Front, a Communist cover organization created to coordinate the activities of political and mass organizations.

The principles in the East German Constitution, admirable though they may be, are, unfortunately, not being implemented. Reference is made particularly to article 6 (exercise of democratic rights), article 8 (personal liberty), article 9 (freedom of expression and assembly), article 14 (right to strike). The suppression by the regime, with the active aid of Soviet military forces, of the spontaneous strikes and uprisings of June 1953 in East Berlin and East Germany violated each of these articles.

The principles of nonintervention in the affairs of other states, peaceful coexistence, and respect for the sovereignty and territorial integrity of other countries are always stressed by the U.S.S.R. The postwar cases of Iran, Greece, Korea, East Germany, and Hungary, among many others, can be recalled to illustrate the difference between Soviet statements and Soviet deeds. The Soviet justification for directly and indirectly violating rights of nations and principles of international law is always "fascist aggression," "outside provocation," and "subversive activity sponsored by foreign agents." The Soviet Union has consistently refused to permit impartial inspections (as in Korea and Hungary) and denied actions by the United Nations wherever these actions threatened to expose its deeds. The refusal of the Communists in 1952 to grant entry into East Berlin and East Germany of the U.N. Commission to investigate whether there were conditions conducive to free elections is a specific example in Germany.

It is clear that the U.S.S.R., the United Kingdom, and the United States agreed that there should be a rebirth of free political parties and the reestablishment of essential political freedoms in Germany as a whole including the free flow of information and publications. The Allied Control Council in directives 40 and 55 subsequently issued more specific instructions on the subject of interzonal exchange of information and printed matter. Comments on the policy of the occupying powers were allowed. Information from the foreign press was permitted. "The exchange of information and democratic ideas shall not be subject to any pressure of any sort, administrative or economic, on the part of the central government [never formed] or the Land Governments."

These principles were never practiced inside the Soviet Zone of Germany. The possession of "fascist" literature was made a felony. The term "fascist" is used by the Communists to describe any expression of opposition to the regime. Obstacles were also placed in the way of free flow of information from the other zones to the Soviet Zone. It was this direct Soviet action that led to the popularity and the significance of Western newspapers and radio stations, for

example, RIAS (Radio in American Sector) in Berlin and in East Germany. Denied the right of free expression themselves and prohibited from obtaining information freely from outside the Soviet Zone, they naturally turned to alternative sources. Since the Soviet motivation was to isolate the East German people from the rest of the nation, the infringement of the principles of free flow of information and political activity has not been corrected. On the contrary, the Western radio stations have been jammed, and Western media and legitimate information gathering organizations have been branded "espionage centers" and sources of "subversive activity." Heavy penalties have been exacted for listening to Western radio stations or visiting "fascist agencies" such as the offices of newspapers, licensed political parties, and legal advisory societies established in West Berlin or West Germany for the purpose of providing advice and assistance to East Germans. The numerous "show trials" of "confessed agents" who wanted free information or assistance or advice are direct evidence of the mechanisms used by the U.S.S.R. and the East German regime to prevent the reestablishment of essential human freedoms in the largest nation in Europe outside of the U.S.S.R. itself.

#### IV. REPARATIONS

##### *Soviet Allegations . . .*

The Soviet note says the Western powers began to follow a policy in Germany counter to the provisions of the Potsdam Protocol about a year after the war. The note specifies this was due to a heated ideological struggle which reversed wartime cooperation. It charges that the Western powers refused to give the U.S.S.R. reparations due from Germany. The note says:

The first violation of the Potsdam Agreement was the refusal by the governments of the USA, Great Britain, and France to honor their commitments under the aforesaid agreement regarding the transfer to the Soviet Union of the agreed amount of industrial equipment from West Germany, as partial compensation for the destruction and damage inflicted upon the national economy of the U.S.S.R. by the aggression of Hitlerite Germany.

##### *The Facts Are . . .*

1. The Potsdam Protocol provided that the U.S.S.R. should receive from the Western occupation zones 15 percent of specified types of such industrial capital equipment as was unnecessary for the German peace economy *in exchange for an equivalent value of food and other raw materials plus an additional 10 percent without exchange.* Payment of reparations should leave enough resources to enable the German people to subsist *without external assistance.* It also provided that Germany should be treated "as a single economic unit."

2. The Soviet Union did *not* deliver food and other raw materials in return for large shipments of capital equipment from the Western zones.

3. The United States suspended reparations shipments because of the failure of the Soviet Union to implement the Potsdam Protocol as a whole.

4. The Soviet Union continued to extract reparations from its zone at a time when the Western powers were forced to maintain a minimum economic level by financing imports to Germany. In effect,

shipments of reparations to the U.S.S.R. at a time when the United States was supporting its own zone to make up deficiencies caused by Soviet violations of the Potsdam Agreement amounted to the U.S.S.R.'s collecting reparations from the United States.

The Potsdam Protocol, dated August 1, 1945, and signed by the Heads of Government of the United States, the United Kingdom, and the U.S.S.R., provided several things with respect to the reparations which the Soviet Union was to receive from Germany:

[1]. Reparation claims of U.S.S.R. shall be met by removals from the zone of Germany occupied by the U.S.S.R., and from appropriate German external assets.

Also,

[2]. In addition to the reparations to be taken by the U.S.S.R. from its own zone of occupation, the U.S.S.R. shall receive additionally from the Western Zones:

(a) 15 per cent of such usable and complete industrial capital equipment, in the first place from the metallurgical, chemical and machine manufacturing industries as is unnecessary for the German peace economy and should be removed from the Western Zones of Germany, in exchange for an equivalent value of food, coal, potash, zinc, timber, clay products, petroleum products, and such other commodities as may be agreed upon.

(b) 10 per cent of such industrial capital equipment as is unnecessary for the German peace economy and should be removed from the Western Zones, to be transferred to the Soviet Government on reparations account without payment or exchange of any kind in return.

Also,

[3]. Payment of Reparations should leave enough resources to enable the German people to subsist without external assistance. In working out the economic balance of Germany the necessary means must be provided to pay for imports approved by the Control Council in Germany. The proceeds of exports from current production and stocks shall be available in the first place for payment for such imports.

(The above clause was not to apply to the equipment and products referred to in the passage quoted under 2 above.)

Also,

[4]. During the period of occupation Germany shall be treated as a single economic unit. To this end common policies shall be established in regard to: \* \* \* (d) import and export programs for Germany as a whole; \* \* \* (f) reparation and removal of industrial war potential; (g) transportation and communications.

The United States began to make reparations shipments to the U.S.S.R. on March 31, 1946, and by the following August 1 had made 11,100 tons of reparations equipment available to the U.S.S.R. from the Kugel-Fischer ballbearing plant at Schweinfurt, the Daimler-Benz underground aircraft-engine plant at Obrigheim, the Deschimag shipyards at Bremen-Weser, and the Gendorf powerplant. By contrast, the Soviet Union did not live up to its agreement to ship to the Western zones of Germany food, coal, potash, zinc, timber, and other products from the Soviet Zone in exchange for a part of the reparations shipments from the Western zones.

The Soviet note accuses the Western powers of failing to make the reparations deliveries under point 2 above but fails to relate that the Western powers suspended such deliveries only after the Soviet Union had violated points 3 and 4 and its obligations under point 2(a). Furthermore, it was made clear that the suspension was intended to be temporary in nature, until such time as the U.S.S.R. was willing to implement the Potsdam Protocol as a whole. Because the U.S.S.R. never has been willing to do this, the suspended deliveries were never resumed.

The U.S.S.R. wanted to collect \$10 billion in reparations from Germany. It had proposed this figure at the Yalta Conference in February 1945. This proposal was not accepted by the United States and the United Kingdom at Yalta, nor was it accepted afterwards. Nevertheless the U.S.S.R. went about collecting reparations as if this amount had been agreed to, despite the clear statement in the Potsdam Protocol that "common policies" should be established in regard to reparations.

Germany at the time of the Potsdam Conference was economically a deficit area, requiring sizable imports to establish its economy even at a minimum level. This is why the Western powers insisted that the Potsdam Protocol provide that payment of reparations "should leave enough resources to enable the German people to subsist without external assistance," that the necessary means must be provided to pay for necessary imports, and that the "proceeds from current production and stocks" should be "available in the first place for payment for such imports." In other words, the proceeds from current production were not to be used for reparations if they were needed to pay for necessary imports. In violation of this agreement the Soviet authorities exacted reparations in large quantities from current production in the Soviet zone of occupation and refused to account for their removals from Eastern Germany.

The result of the Soviet violations of the Potsdam Protocol recounted above, and of the Soviet refusal to treat Germany as an economic unit (with the resources of its zone available for use elsewhere in Germany), was that the United States and the United Kingdom had to give financial support to their zones in Germany to maintain a minimum economy. A year after the Potsdam Conference the U.S. Military Governor in Germany reported:

The U.S. Zone depends historically on coal and steel from the British Zone, on food and seeds from the Soviet Zone, on fertilizer and tin plate from the French Zone. Today the United States is spending perhaps 200 million dollars a year—over a half million dollars a day—to prevent starvation, disease, and unrest in the U.S. Zone. Without free trade with other parts of Germany, and without a common export program, the U.S. Zone can not pay its own way.

In effect, the United States, in shipping reparations to the Soviet Union while supporting its own zone to make up deficiencies caused by Soviet violations of the Potsdam Protocol, was permitting the U.S.S.R. to collect reparations from the United States itself, rather than from Germany. It was against this background that the United States suspended reparations shipments from the U.S. Zone to the U.S.S.R. until such time as the Soviet Union was willing to implement the Potsdam Protocol as a whole.

## V. REARMAMENT

*Soviet Allegations . . .*

The Soviet note says that the Western powers are rearming West Germany, encouraging and restoring the forces which had built up Nazi military power. The Soviets maintain that this is a violation of the Potsdam Protocol and that the Soviet Union has been compelled to establish the Warsaw Pact as a defensive system. The note says:

Having embarked upon the restoration of the military and economic potential of West Germany, the Western Powers revived and strengthened the very forces that had forged Hitler's war machine. Had the Western Powers honored the Potsdam Agreement, they would have prevented the German militarists from regaining their positions, checked *revanche* tendencies, and not permitted Germany to create an army and an industry manufacturing the means of destruction.

However, it is a known fact that the governments of the Three Powers not only failed to do this but, on the contrary, sanctioned the creation of a West German army and are encouraging the arming of the Federal Republic of Germany, disregarding the commitments made at Potsdam. Moreover, they included West Germany in the North Atlantic bloc, which was created behind the back of the Soviet Union and, as everyone is aware, against it, and are now arming West Germany with atomic and rocket weapons.

*The Facts Are . . .*

1. The United States in 1945, 1946, and 1947 proposed the negotiation first of a 25-year and later of a 40-year treaty which would guarantee against resurgence of German militarism. The Soviet Union effectively killed the negotiations by dragging in numerous extraneous and controversial issues.

2. In the U.S. Zone of Germany the United States carried out fully the demilitarization provisions of the Potsdam Protocol by 1950.

3. Beginning in 1948 the Soviets built up a sizable "police force" in its zone, arming it with military-type weapons and having it trained by former German army officers.

4. In 1954 (a year before an army was established in West Germany) 140,000 German military personnel were under arms in the Soviet Zone plus a police force of 100,000. At this time West German police numbered 150,000, although there are three times as many people in West Germany as in East Germany.

5. The military forces of the Federal Republic are integrated into the North Atlantic Treaty Organization, which has purely defensive purposes within the framework of the United Nations. The Federal Republic has renounced aggressive purposes and accepted specific limitations on armaments. The Western powers have repeatedly assured the Soviet Union on these points.

The terms of the Potsdam Protocol with respect to the demilitarization of Germany were as follows:

3. The purposes of the occupation of Germany by which the Control Council shall be guided are:

(1) The complete disarmament and demilitarization of Germany and the elimination or control of all German industry that could be used for military production. To these ends:

(a) All German land, naval and air forces, the S.S., S.A., S.D. and Gestapo, with all their organizations, staffs and institutions, including the General Staff, the Officers' Corps, Reserve Corps, military schools, war veterans' organizations and all other military and quasi-military organizations, together with all clubs and associations which serve to keep alive the military tradition in Germany, shall be completely and finally abolished in such manner as permanently to prevent the revival or reorganization of German militarism and Nazism;

(b) All arms, ammunition and implements of war and all specialized facilities for their production shall be held at the disposal of the Allies or destroyed. The maintenance and production of all aircraft and all arms, ammunition and implements of war shall be prevented.

Even before the Potsdam Protocol was signed the United States had considered the desirability of negotiating with the United Kingdom, France, and the U.S.S.R. a 25 year treaty which would guarantee that there could be no resurgence of German militarism. Secretary of State James F. Byrnes took the initiative in proposing such a treaty to Molotov in September 1945 and later to Stalin. Encouraged by their reaction, the U.S. submitted a draft treaty for comment and possible amendment in February 1946. The three Western powers supported the idea of such a demilitarization treaty at the Paris session of the Council of Foreign Ministers in 1946 and at the Moscow session in 1947, and the U.S. agreed to a 40-year term for the treaty when Molotov objected that the proposed 25 year period was not long enough. The Soviet Union, however, effectively killed the negotiations for such a treaty by trying to tie into it numerous extraneous and controversial issues.

While these negotiations were proceeding, the United States was putting into effect, in its own zone of Germany, the provision of the Potsdam Protocol. In that zone the German armed forces and all related organizations had been disbanded in 1945 and had been prohibited by law from re-forming. By the fall of 1947 all known war material had been collected, inventoried, and either destroyed or, when possible, converted to peacetime uses. By the end of 1948 the United States occupation authorities had destroyed or dismantled and delivered as reparations all industrial plants especially constructed for the production of tanks, general armament, aircraft, war explosives, and poisonous war substances, and all underground plants. The Soviet refusal to treat Germany as an economic unit necessitated a revision upward of postwar plans with respect to the level of industry in the U.S. Zone of Germany, but by the end of 1950 the removal of industrial capital equipment in the U.S. Zone had been substantially completed in line with the revised level-of-industry plan.

The decision to put arms once again in the hands of German forces was made by the Government of the Soviet Union. On May 23, 1950, the United States protested to the U.S.S.R. against the remilitarization of the Soviet Zone, calling attention to the fact that some 40,000 to 50,000 men in so-called "Police Alert Units" were receiving basic

infantry, artillery, and armored training and were equipped with Soviet military weapons.

By the end of 1953 the Soviet Zone, with a population of 17 million, had a "police force" (which totaled 100,000 men) supplemented by an additional 140,200 military personnel, including three mechanized divisions and an air force. A strong protest concerning this development was made by Secretary of State Dulles to Foreign Minister Molotov at the Berlin meeting of Foreign Ministers in February 1954. This was more than a year before the establishment of an armed force in the Federal Republic, which had 150,000 regular police and a population of 50 million.

The Western powers—the United States, the United Kingdom, and France—recognized that the rearmament of German forces in the Soviet Zone had brought about a situation of basic insecurity in West Germany, a situation aggravated in the extreme by the postwar Communist takeover in Poland and Czechoslovakia and the Communist aggression in Korea which had begun in June 1950.

The final Act of the London Nine-Power Conference, October 8, 1954, provided for the end of the occupation regime in the Federal Republic and for the association of the Federal Republic with the West as a member of the North Atlantic Treaty Organization and the Treaty of Western European Union (Brussels Treaty).

Upon her accession to the North Atlantic Treaty and the Brussels Treaty, the Federal Republic declared at the London Conference that she would "refrain from any action inconsistent with the strictly defense character of the two treaties [and would never] have recourse to force to achieve \*\*\* renunciation \*\*\* or \*\*\* modification of [her] present boundaries. \*\*\*"

In notes of September 10, 1954, the United States, the United Kingdom, and France assured the Soviet Union that "the association of the German Federal Republic \*\*\* in a defense system long after the rearming of Eastern Germany, far from constituting a threat to European security, is intended to prevent any nation from having independent recourse to the threat or use of force. This is the best guarantee for the security of all Germany's neighbors, of Germany herself and of Europe as a whole."

President Eisenhower made the same point abundantly clear during the Geneva Conference of 1955 when he said "in no case are any parts of the forces allowed to Germany complete or whole within themselves. They are all intertwined with the forces of the other Western nations, making it impossible for them to conduct any effective military operation by themselves."

In addition to the limitations placed upon the Federal Republic's capability for independent military action as a member of the interdependent NATO command structure, there are the voluntary undertakings of the Federal Chancellor (Protocol No. III of the revised Brussels Treaty) not to manufacture in the territory of the Federal Republic atomic, biological, or chemical weapons. The Federal Chancellor also renounced the production of long range missiles, guided missiles, warships, with the exception of smaller ships for defense purposes, and strategic bombers.

## APPENDIX II

### CHRONOLOGY OF POLITICAL DEVELOPMENTS AFFECTING BERLIN, 1945-1956<sup>1</sup>

**1. May 1, 1945.**—The European Advisory Commission in London approved an amended version of the text of the November 14, 1944 Agreement on the Control Machinery in Germany, Article 7 (as amended) of which pertained to Berlin and read:

(a) An Inter-Allied Governing Authority (Kommandatura), consisting of four Commandants, one from each Power, appointed by their respective Commanders-in-Chief, will be established to direct jointly the administration of the 'Greater Berlin' area. Each of the Commandants will serve in rotation, in the position of Chief Commandant, as head of the Inter-Allied Governing Authority.

(b) A Technical Staff, consisting of personnel of each of the four Powers, will be established under the Inter-Allied Governing Authority, and will be organized to serve the purpose of supervising and controlling the activities of the local organs of 'Greater Berlin' which are responsible for its municipal services.

(c) The Inter-Allied Governing Authority will operate under the general direction of the [Allied] Control Council [for Germany]<sup>2</sup> and will receive orders through the Coordinating Committee [consisting of the four deputy commanders for military government in Germany].

**2. May 17, 1945.**—The Soviet Commander in Berlin, whose forces had completed their occupation of the city May 2, appointed a civilian executive Magistrat of 16 members and 16 deputies from the several political parties as the principal administrative organ in Berlin.

**3. June 5, 1945.**—The Commanders-in-Chief of the four Allied Powers, meeting for the first time in Berlin, released two Statements concerning, respectively, Zones of Occupation in Germany and Control Machinery in Germany.

Paragraph 2 of the Statement on Zones of Occupation provided that—

the area of "Greater Berlin" will be occupied by forces of each of the four Powers. An Inter-Allied Governing Authority (in Russian, Kommandatura) consisting of four Commandants, appointed by their respective Commanders-in-Chief, will be established to direct jointly its administration.

Paragraph 7 of the Statement on Control Machinery provided that—

the administration of the "Greater Berlin" area will be directed by an Inter-Allied Governing Authority which will operate under the general direction of the Control Council<sup>3</sup> and will consist of four Commandants, each of whom will serve in rotation as Chief Commandant. They will be assisted by a technical staff which will supervise and control the activities of the local German organs.

<sup>1</sup> This chronology was prepared by the Department of State in April 1956. For later developments affecting Berlin, see the documents of later date which appear in the documentary portion of this print.

<sup>2</sup> See footnote of item under June 5, 1945.

<sup>3</sup> The Control Council for Germany, made up of the Commanders-in-Chief of the four occupying powers and empowered to exercise supreme authority in Germany on instructions from their respective governments, was established by earlier provisions in this statement.

*4. June 10, 1945.*—The Soviet occupation authorities in Berlin authorized four political parties in the city, namely, the Communist Party of Germany, the Social Democratic Party of Germany, the Christian Democratic Union, and the Liberal Democratic Party.

*5. June 14, 1945.*—President Truman addressed a communication to Marshal Stalin proposing that the withdrawal of American forces to their zone of occupation in Germany and the entry of American forces into Berlin begin June 21. His message read, in part:

\* \* \* As to Germany, I am ready to have instructions issued to all American troops to begin withdrawal into their own zone on 21st June in accordance with arrangements between the respective commanders, including in these arrangements simultaneous movement of the national garrisons into greater Berlin and provision of free access by air, road, and rail from Frankfurt and Bremen to Berlin for US forces. \* \* \* If you agree with the foregoing, I propose that appropriate instruction be issued at once to our respective commanders.

*6. June 18, 1945.*—Marshal Stalin replied to President Truman's communication of June 14 by requesting that the entry of American troops into Berlin and the removal of other American troops to the United States zone of occupation not begin until July 1. His reply read, in part:

\* \* \* To my regret I have to say that your proposal to begin the removal of the American troops into their zone and entry of American troops into Berlin on June 21 meets with certain difficulties [namely, the required presence of Marshal Zhukov and subordinate Soviet commanders in Moscow for a military parade and the need for completing the clearing of mines from Berlin]. \* \* \* I would like to request that the removal of the troops begin on July 1 when the commanders will be back and the clearing of mines completed. \* \* \* On our part all necessary measures will be taken in Germany \* \* \* in accordance with the above-stated plan.

President Truman agreed to Stalin's request, his reply of the same date reading:

I have issued instructions to the American Commanders to begin the movement on July 1 as requested by you. It is assumed that American troops will be in Berlin at an earlier date in sufficient number to accomplish their duties in preparation for our conference.

*7. July 1, 1945.*—United States armed forces entered Berlin but did not assume full military government responsibilities in the American sector until July 4.

*8. July 7, 1945.*—At a meeting at Soviet Headquarters in Berlin among General Clay (representing General Eisenhower), General Weeks (representing General Montgomery), and Marshal Zhukov a resolution was adopted to (a) fix at 15 days the successive periods each Commandant, in turn, would serve as the Chief Military Commandant in Berlin (subsequently, on August 9, changed by the Kommandatura to one month), (b) require unanimous approval by the four Commandants of all resolutions of the Kommandatura, (c) designate the Oberbuergermeister of Berlin as the civilian agent by whom all administrative instructions would be carried out in Berlin, (d) assign representatives of each of the four Powers to each section of the Berlin government for purposes of supervision and control, and (e) permit each Commandant to take "local conditions" into account in applying to his sector the orders of the Chief Military Commandant.

It was also agreed that (a) the population of the three Western sectors of Berlin would be fed from supplies coming from the West; (b) coal for these sectors would come in the main from Ruhr stocks,

supplemented by small quantities of Silesian brown coal and hydro-electric power from the Soviet zone of Germany; and (c) there would be unrestricted transportation and movement between all four sectors.

9. *July 11, 1945*.—The Kommandatura (including the French representative without voting rights) held its first meeting, documents formally establishing it as an official organ having been agreed to on the preceding day by the United States, United Kingdom, and Soviet Commands in Germany. Its members included Major General Floyd L. Parks representing the United States, Major General Lewis O. Lyons for the United Kingdom, Brigadier General Geoffroy de Beauchesne for France, and Colonel General Alexander V. Gorbatov for the Soviet Union. The Kommandatura informed the Berlin Magistrat that—

until special notice, all existing regulations and ordinances issued by the Commander of the Soviet Army Garrison and Military Commandant of the city of Berlin, and by the German administration under Allied Control, regulating the order and conduct of the population of Berlin, and also the liability of the population for the violation of such regulations and ordinances, or for unlawful acts against Allied occupation troops, shall remain in force.

10. *August 12, 1945*.—The French authorities took over responsibility for administration of the sector of Berlin assigned to them. (The French Commandant was seated as a voting member of the Kommandatura in Berlin on August 16.)

11. *February 7, 1946*.—As a result of a breakdown in negotiations with the Soviet authorities in Berlin to secure quadripartite control over the operations of Radio Berlin, located in the Soviet sector, a radio station was set up in the U.S. sector for long-wave transmission by the *Drahtfunk* method to the American and British sectors (the American right to broadcast to the British sector was granted by the British in exchange for rights granted the British to broadcast to the American sector over the British-sponsored Northwest German Rad.o)

12. *March 28, 1946*.—The Kommandatura instructed the Berlin Magistrat to draft, in conjunction with the Local Government Committee of the Kommandatura, a constitution for the city, using the Berlin Constitution of 1920 as a model.

13. *March 31, 1946*.—The Social Democratic Party held a referendum in Berlin, under sanction of the three Western Military Governors, on the issue of merging with the Communist Party. The referendum was banned by the Soviet authorities in their sector of Berlin. The vote was 19 to 2 against a merger.

14. *April 21, 1946*.—The Communist Party of Germany and dissidents from the Social Democratic Party met in convention in Berlin and formed a new Socialist Unity Party under Communist domination.

15. *May 28, 1946*.—The Kommandatura recognized the legal functioning in the Greater Berlin area of both the Socialist Unity Party and the portion of the Social Democratic Party (the overwhelming majority) which had voted against merger with the Communists on March 31.

16. *August 13, 1946*.—The Kommandatura sent the temporary Constitution of Greater Berlin as drafted by the Magistrate to the Oberbürgermeister with instructions that, following the elections in October, it be put into effect pending the adoption of a permanent constitution by the City Assembly to be chosen in the elections.

17. September 5, 1946.—With the introduction of a 1000-watt transmitter, the radio station in the American sector of Berlin commenced transmission to the entire Berlin area and became a full-fledged radio station (Radio in the American Sector, or RIAS).

18. October 20, 1946. Elections held throughout greater Berlin gave the Social Democrats 63, the Communists 29, the Communist-dominated Socialist Unity Party 28, and the Liberal Democrats 12 of the 130 seats in the City Assembly elected to function under the Temporary Constitution.

19. October 21, 1946.—The Temporary Constitution for Berlin went into effect. It provided for a legislative City Assembly whose seats were to be filled according to proportional representation of the political parties, and an executive Magistrat elected by the Assembly, in which all parties in the Assembly were entitled to be represented. Article 36 specified the degree of control to be exercised by the Kommandatura in Berlin as follows:

The Government of Greater Berlin is subordinate to the Allied Kommandatura, except as may be specifically provided for by the Allied Control Authority, and that of the Borough administrations to the Military Governments in the respective Sectors. All legal enactments which are accepted by the Stadtverordnetenversammlung (City Assembly), as well as ordinances and instructions issued by the Magistrat must conform to the laws and ordinances of the Allied Powers in Germany and of the Allied Kommandant in Berlin, and be sanctioned by the latter.

Amendments of the Constitution, resignation of the Magistrat or of any of its members as well as the appointment and discharge of leading officials of the city administration can only take effect with the sanction of the Allied Kommandatura Berlin.

The Borough administrations are subordinate in their activities to the Military Government in the respective Sectors.

20. December 5, 1946.—The newly-elected (October 20) Berlin City Assembly, which had held its first session on November 26, elected the 18 members of the new Magistrat, headed by Dr. Otto Ostrowski (Social Democrat) as Oberbuergermeister, to function under the Temporary Constitution. The Soviet Commandant in Berlin refused to recognize the official status of most of the members of the new Magistrat, preferring the personnel of the old Magistrat installed by the Soviet authorities in 1945.

The City Assembly also elected an 18-member Constitutional Committee with instructions to commence drafting a permanent constitution for Berlin.

21. January 23, 1947.—The Kommandatura issued a regulation permitting political (other than party) organizations on a city-wide basis.

22. January 31, 1947.—The Kommandatura issued an order, to implement Article 36 of the Temporary Constitution (see entry of October 21, 1946), specifying the types of legal enactments, ordinances, and instructions emanating from the Berlin Magistrat which would require the prior approval of the Kommandatura.

23. March 22, 1947.—The Kommandatura issued a regulation permitting the formation of non-political organizations in the Greater Berlin area and in each sector.

24. April 11, 1947.—The Berlin City Assembly, by a vote of 85 to 20, repudiated the action taken in February by Oberbuergermeister Ostrowski when he agreed in writing to cooperate with the Communist-dominated Socialist Unity party in the administration of the city's affairs.

25. April 17, 1947.—Following the vote of repudiation by the Berlin City Assembly on April 11, Oberbuergermeister Ostrowski resigned. His resignation was not accepted by the Soviet Commandant.

26. June 24, 1947.—Professor Ernst Reuter (Social Democrat) was elected Oberbuergermeister by the City Assembly, by a vote of 89 to 17, to succeed Otto Ostrowski, who had resigned in April.

27. June 27, 1947.—At a meeting of the Kommandatura the Soviet Commandant vetoed the election of Ernst Reuter as Oberbuergermeister. Frau Louise Schroeder (Social Democrat), one of the two Buergermeisters, served from that point until December 7, 1948 as Acting Oberbuergermeister, though periodic illness obliged her to relinquish her duties from time to time to Ferdinand Friedensburg (Christian Democrat), the other Buergermeister.

28. November 25, 1947.—Representatives of the economic administrations in the Soviet zone of occupation and the British-United States joint economic zone (established on January 1, 1947) signed in Berlin an agreement for an exchange by each side of RM 157 million-worth of goods in calendar year 1948. Provisions were made for either party to demand the delivery of goods to its sector of Berlin instead of to the appropriate zone of occupation.

29. February 21, 1948.—A Soviet-sponsored "People's Congress of Greater Berlin" met in the Soviet sector of the city and passed resolutions calling for an all-German referendum on German unity and the establishment of a "German People's Council".

30. March 10, 1948.—The Soviet Military Administration in East Germany imposed heavy restrictions on Germans travelling from Berlin to the Soviet zone.

31. March 12, 1948.—The Constitutional Committee of the Berlin City Assembly completed its drafting of a permanent constitution with which it had been entrusted on December 5, 1946 and submitted the draft to the Assembly.

The American Commandant, at a meeting of the Kommandatura, suggested the establishment of a four-power commission to investigate the treatment of political parties throughout the Greater Berlin area. The proposal was vetoed by the Soviet Commandant.

32. March 20, 1948.—The Soviet Military Governor for Germany, in his capacity as Chairman of the Allied Control Council for Germany for the month of March, unilaterally adjourned the Control Council meeting on the grounds of alleged "plotting" by the three Western Powers behind the Soviet Union's back with respect to Germany and walked out with his entire delegation. The Council did not meet again on a quadripartite basis.

33. March 25, 1948.—Secretary of State George C. Marshall issued a special statement on the Soviet withdrawal from the Allied Control Council in which he declared, in part:

The ACC in Berlin as well as the joint occupation of the city are established by governmental agreement \*\*\* In accordance with the international agreement binding on all four control powers, the United States intends to continue to fulfill its responsibilities as a member of the Control Council and as a joint occupant of the city of Berlin.

34. March 30, 1948.—The Soviet Military Administration in East Germany informed the three Western Military Governors of a series of restrictions on rail and highway traffic between the Western zones

of occupation and Berlin through the Soviet zone, to be put into effect on April 1. These restrictions included (a) documentary identification of all Western military and occupation personnel travelling through the Soviet zone, (b) clearance at Soviet checking points of all military freight from Berlin to the Western zones and clearance of a complicated set of bills of lading of military freight from the Western zones to Berlin, (c) inspection of all baggage at Soviet checking points on railway and highways to and from Berlin except for personal belongings of Western military and occupation personnel.

35. *March 31, 1948*.—The United States Commandant in Berlin called on the Soviet Commandant, to request information on the need for the new Soviet-imposed traffic restrictions. Refusing to deal with the matter at this time, the Soviet Commandant indicated he would be willing to discuss the problem at a later date. This promise the Soviet Commandant did not keep.

36. *April 2, 1948*.—At a meeting of the Deputy Commandants for Berlin the Soviet authorities announced the withdrawal of their representatives from 8 of the Kommandatura's 18 committees (those on Cultural Affairs, Building and Housing, Personnel and Denazification, Property Control, Transportation, Economics, Welfare, and Fuel Supply).

37. *April 3, 1948*.—The Soviet authorities closed the rail freight routes from Bavaria and Hamburg to Berlin, requiring all freight to pass over the route from Helmstedt in the British zone.

38. *April 9, 1948*.—The Soviet Military Administration in East Germany required the clearance through the office of the Soviet Commandant in Berlin of all freight trains from Berlin to the Western zones and imposed restrictions on parcel post.

39. *April 13, 1948*.—The Soviet Military Administration in East Germany incorporated the East Berlin police force with that of the Soviet zone of Germany.

40. *April 20, 1948*.—Soviet authorities initiated a program of individual clearance of all barge traffic to and from Berlin through the Soviet zone.

41. *April 22, 1948*.—The Berlin City Assembly adopted by a vote of 83 to 20 (27 members being absent) the text of the constitution for the city submitted to the Assembly by its Constitutional Committee on March 12.

42. *May 10, 1948*.—The City Assembly voted to attempt to bring the University of Berlin, located in the Soviet sector, under the control of the Berlin Magistrat and, should this effort fail, to establish a new university in one of the Western sectors.

43. *May 13, 1948*.—The Soviet member of the Kommandatura's Public Safety Committee walked out of its session, and at a meeting of the Deputy Commandants for Berlin on May 19 it was announced that the Soviet member would not resume his seat with the Committee.

44. *May 20, 1948*.—Soviet authorities began demanding that additional documents accompany each barge passing through the Soviet zone to and from Berlin. (See April 20 entry.)

45. *June 9, 1948*.—Soviet authorities stiffened the regulations governing travel by Germans through the Soviet zone to and from Berlin (see March 10 entry), requiring special authorization by Soviet officials of each individual or group passage through the Soviet zone.

46. June 15, 1948.—Soviet authorities closed the bridge over the Elbe on the East-West autobahn, substituting ferry service.

47. June 16, 1948.—The Soviet Commandant withdrew from the Kommandatura on the grounds of alleged discourtesy on the part of the American Commandant. On the same day the Soviet representative withdrew from the Kommandatura's Local Government Committee.

48. June 18, 1948.—The three Western Military Governors announced (effective June 21) a currency reform for their zones of occupation in Germany (exclusive of Berlin). A summary of the currency reform law, released jointly by the Departments of State and the Army, explained—

The currency reform will not, for the time being, apply to Berlin because Berlin is under four-power rule. The three Military Governments will, however, take all measures in order to maintain and strengthen Berlin's economic ties with the west which are vital to the welfare of the city. Berlin, too, is to share the benefits of the European Recovery Plan, which stands behind the new currency. Food deliveries into Berlin will be continued by the western occupying powers and sold for the currency there in use.

49. June 19, 1948.—The Soviet Commandant in Berlin declined the invitation of the Chairman of the Kommandatura (the French Commandant) to attend a meeting to discuss the effect on Berlin of the currency reform in West Germany announced on the preceding day by the three Western Military Governors.

Soviet authorities in East Germany suspended all railway and highway passenger traffic to and from West Berlin through the Soviet zone and severely reduced railway and waterway freight traffic through the zone.

As a result of failure to induce the Soviet authorities to transfer control over the University of Berlin to the Berlin Magistrat (see entry of May 10), a preparatory committee of 12, headed by Dr. Ernst Reuter, was formed in the Western sectors of Berlin to plan the establishment of a new university outside the Soviet sector.

50. June 22, 1948.—At a meeting in Berlin of the financial and economic advisers to the four Military Governors for Germany, called to consider the problem of a currency for Berlin, the Soviet representative insisted that the currency of the Soviet zone of Germany be used as the sole currency in all Berlin, rejecting the suggestion for quadripartite control of a special Berlin currency.

51. June 23, 1948.—The Soviet Military Administration in East Germany issued an order decreeing a currency conversion effective in the Soviet zone and all four sectors of Berlin. The order forbade the circulation of any currency other than the Reichsmark or Rentenmark with attached Soviet coupon. It also instructed the Central Economic Commission of the Soviet zone to supervise this conversion and extended the competence of the Commission to include jurisdiction over all financial and currency matters of the Greater Berlin area. (The Central Economic Commission had been set up in the Soviet zone on February 13, 1948 as a measure to counter the establishment, on February 9, of the German Bizonal Economic Administration in the United States and United Kingdom zones.)

The three Western Commandants instructed the Berlin Magistrat to ignore the Soviet order introducing the new East German currency in the Greater Berlin area, at the same time publicly announcing that it was intended to introduce in the Western sectors of Berlin

the new West German currency. The announcement read, in part:

By virtue of the attempt by the Soviet military administration to usurp for itself the authority to dominate the economic affairs of Berlin and issue its own currency for the quadripartite city, the western powers find it necessary to introduce the deutsche mark in the three western sectors of Berlin. \*\*\* It was the view of the three western occupying powers that it was the responsibility of the city's supreme quadripartite body, namely, the Kommandatura, to effect such monetary reform for the total population of the city as a whole. \*\*\* The western proposals were refused by the Soviet military authorities. Instead, the Soviet military authorities insisted that it [sic] alone would write the currency law for the city of Berlin. \*\*\* The western powers cannot submit to such arbitrary action which is in violation and total disregard of the actual quadripartite status of Berlin. \*\*\*

The Berlin Magistrat then issued a separate determination that the currency instructions of the four Commandants were to apply only in the respective sectors for which they were responsible.

Soviet authorities in East Germany stopped completely, on the grounds of "technical difficulties", all railway and waterway freight traffic into Berlin (already reduced to a trickle on June 19), suspended all unusual mail and parcel post service from the three Western sectors of Berlin and from East Germany to the West; and interrupted the delivery of electric power from the Soviet zone of Germany and the Soviet sector of Berlin to the three Western sectors of Berlin.

The first of a series of Communist inspired riots occurred in the City Assembly. (These led, on September 6, 1948, to the removal of the Assembly's settings from the Soviet to the Western sector.)

52. June 24, 1948 — The three Western Military Governors introduced the new West German mark in the three Western sectors of Berlin as legal tender to be circulated in a quantity representing 25% of the total currency (East German marks) already in circulation in the city.

Soviet authorities completed their total blockade of the three Western sectors of Berlin by prohibiting the distribution of any supplies to these sectors from the Soviet zone and the Soviet sector of Berlin.

The Western occupation authorities retaliated by stopping all supply shipments from West Berlin to the Soviet sector of the city, and the American and British Military Governors also stopped all railway freight traffic from their zones of occupation into the Soviet zone.

53. June 26, 1948 — The United States began to airlift essential food, fuel, and supplies to the three Western sectors of Berlin.

The British Military Governor in Germany, acting on behalf of the three Western Military Governors, addressed a letter to the Soviet Military Governor to protest the interruption of essential freight traffic to Berlin.

54. June 29, 1948 — Replying to the British Military Governor's letter of June 26, the Soviet Military Governor declared that the "technical difficulties" which had caused interruption of rail freight traffic between Berlin and the West were being worked on and that rail service would soon be resumed.

The Berlin City Assembly adopted a resolution suggesting that the United Nations investigate the Berlin crisis.

55. June 30, 1948 — Secretary of State George C. Marshall declared, in a formal press statement:

We are in Berlin as a result of agreements between the Governments on the areas of occupation in Germany, and we intend to stay \*\*\*

56. July 1, 1948.—The Chief of Staff of the Soviet forces in Berlin announced to the Western Chiefs of Staff that the Soviet representatives would no longer take part in meetings of the Kommandatura or its subsidiary bodies—because of the currency reform in West Berlin and the—

well-known behavior of Colonel Howley (American Commandant) and lack of reaction on the part of British and French representatives to protests made by Soviet authorities.

The Soviet authorities, he indicated, considered the quadripartite character of the Kommandatura dissolved, though they considered all past orders and decisions of the Kommandatura valid.

57. July 3, 1948.—The three Western Military Governors for Germany called on the Soviet Military Governor in the Soviet sector of Berlin to urge resumption of rail traffic to and from Berlin. They received no assurance that, once existing "technical difficulties" had been straightened out, others would not occur to hamper rail traffic. The Western Military Governors thereupon referred to their respective governments the entire problem of negotiating with the Russians on the Berlin issue.

58. July 6, 1948.—The United States, the United Kingdom, and France sent similar notes to the Soviet Government protesting the Soviet blockade of Berlin as "a clear violation of existing agreements concerning the administration of Berlin by the four occupying powers." The three Governments declared that they would "not be induced by threats, pressures or other actions to abandon these rights [in Berlin]." They expressed a readiness to negotiate the Berlin problem any time the blockade was lifted.

59. July 8, 1948.—The Central Finance Department of the Soviet Military Administration for East Germany issued an order forbidding the use of East German marks for payment of the occupation costs of the Western Powers in Berlin.

The Western Powers in Germany suspended all deliveries of reparations to the Soviet Union from West Germany until such time as the Berlin blockade should be lifted.

60. July 9, 1948.—The Western Commandants in Berlin instructed the Berlin Magistrat to continue the payment of the occupation costs of the Western Powers in Berlin in accordance with the terms of the budget already adopted.

61. July 14, 1948.—Replying to the Western Powers' notes of July 6, the Soviet Government maintained that—

the situation which has been created in Berlin has arisen as a result of violation by the \* \* \* [three Western Powers] of agreed decisions taken by the Four Powers in regard to Germany and Berlin, which [violation] has found its expression in the carrying out of a separate currency reform, in the introduction of a special currency for the western sectors of Berlin, and in the policy of the dismemberment of Germany.<sup>1</sup>

The Soviet Government contended that Berlin, because of its location, was a part of the Soviet zone of Germany. The West German currency reform, the note continued, had "forced" the Soviet authorities—

<sup>1</sup> This last Soviet objection referred to the June 2, 1948 decisions of representatives of the United States, the United Kingdom, France, and the Benelux countries meeting informally in London since February 23, to (a) merge the three Western zones of occupation in Germany, (b) grant a considerable degree of self-government to Western Germany through an Occupation Statute, and (c) authorize the drafting of a constitution for Germany.

to adopt certain urgent measures for the protection of the interests of the German population and also of the economy of the Soviet zone of occupation and the area of "Greater Berlin".

The Soviet Government said that it would not agree to any prior conditions for negotiating with the West on the Berlin issue and maintained that—

the question of the administration of Berlin \*\*\* cannot be severed from the general question of Four-Power control in regard to Germany.

Representatives of the United States and the United Kingdom signed in Berlin an agreement establishing the eligibility of the American and British zones in Germany (including the American and British sectors in Berlin) to receive Marshall Plan aid.

**62. July 20, 1948.**—The Soviet-sector Commission for Regulation of Payments (Currency Commission), established by the Soviet Military Administration, issued a set of instructions to govern the credit policies of banks and the use of credit facilities by Berlin businesses. The Commission also undertook to unfreeze the blocked accounts of any West Berlin businesses which agreed to use East German marks exclusively in their transactions.

**63. July 24, 1948.**—The Soviet Military Administration in East Germany ordered that provisional bank notes released on June 22 be exchanged for a new regular currency intended as the sole legal tender for the Soviet zone and Greater Berlin. The Berlin Magistrat was ordered to effect the currency exchange in Greater Berlin. The new currency was issued by the "German Bank of Emission", which had been established in East Germany, July 20, by an order of the Soviet Military Administration.

**64. July 26, 1948.**—The Soviet-appointed police president, Paul Markgraf, was dismissed by the Berlin Magistrat and replaced by Dr. Johannes Stumm as acting police president. This step was approved by the three Western Commandants but was not recognized by the Soviet authorities in Berlin.

**65. July 29, 1948.**—The Berlin City Assembly passed a resolution condemning, and demanding the lifting of, the blockade of Berlin, labeling it a "crime against humanity".

**66. August 2, 1948.**—The Chiefs of Mission in Moscow of the United States, the United Kingdom, and France met with Generalissimo Stalin and Foreign Minister Molotov in the Kremlin and, having made clear the intention of their respective Governments to remain in Berlin, received Stalin's proposal that in return for the lifting of the Soviet blockade the Soviet zone mark would be introduced as the sole legal currency in all Berlin.

**67. August 6-17, 1948.**—The American, British, and French Chiefs of Mission in Moscow held a series of four meetings with Soviet Foreign Minister Molotov in an effort to reach agreement on a draft formula for resolving the Berlin crisis, based on Stalin's proposals of August 2. Two points for which Molotov contended prevented agreement: (1) the Soviet thesis that the West had forfeited its right to be in Berlin except by Soviet permission; (2) Soviet refusal to permit any Berlin currency to be regulated by quadripartite controls.

**68. August 23, 1948.**—The Chiefs of Mission in Moscow of the United States, the United Kingdom, and France met with Premier Stalin and Foreign Minister Molotov to reconcile Western and Soviet drafts of (a) a directive instructing the four Military Governors in Germany to work out the details of a solution to the currency and

transport problems in Berlin and (b) a communiqué, summarizing Four-Power overall agreement on the Berlin question. With respect to the directive, the Soviet leaders agreed to the Western representatives' insistence on Four-Power control of the Berlin currency. With respect to the communiqué, however, the Soviet leaders remained adamant in opposing any explicit or implied recognition of the co-equal status of the Four Powers in Berlin and in demanding that implementation by the Western Powers of the decisions of the London Conference on West Germany (see footnote to the July 14 entry) be suspended.

60. *August 26, 1948.* Some 5000 Communist rioters stormed the session of the City Assembly in the City Hall of the Soviet sector. A counter-demonstration of some 10,000 members of the non-Communist parties took place outside the former Reichstag building in the British sector.

70. *August 27, 1948.*—The American, British, and French Chiefs of Mission in Moscow met with Soviet Foreign Minister Molotov and Deputy Foreign Minister Vishinsky to re-work the draft directive and communiqué discussed at the August 23 meeting with Premier Stalin and Mr. Molotov. They agreed on a draft directive to the Military Governors which provided for (a) withdrawal of the West German mark "B" from circulation in Berlin and substitution of the new East German mark, (b) lifting of recently imposed Soviet restrictions on traffic and communications between Berlin and the Western zones of occupation in Germany, and (c) consultation among the four Military Governors in Berlin regarding implementation of points (a) and (b), a final decision on implementing steps to be reached by September 7. (The directive was approved by the Soviet Foreign Minister and the three Western Chiefs of Mission in Moscow on August 30 and was despatched by them on the same day to the respective Military Governors.)

Because of Soviet insistence on including a statement implying suspension of the London decisions on Germany (see footnote to July 14 entry), there was no agreement reached on a final draft of a communiqué to summarize the Four Powers' overall agreement regarding settlement of the Berlin crisis.

71. *August 31-September 7, 1948.*—In accordance with the Four Power directive issued to them on August 30 (see item of August 27), the four Military Governors for Germany met in Berlin to discuss the arrangements necessary for implementation of the Four-Power decisions regarding currency, transport, and trade in Berlin. Adopting a quite different position from the one the Western representatives had understood Premier Stalin to take at the August 23 meeting, the Soviet Military Governor (a) refused to consider removal of any Soviet transport restrictions imposed prior to June 18, (b) revived certain restrictions on air traffic which he alleged had been agreed to be the Allied Control Council for Germany on November 30, 1945 (specifically, restrictions on all air traffic into Berlin which did not carry supplies for the occupation forces), (c) refused to acknowledge the control rights of the proposed Four-Power finance commission over the East German Bank of Emission in its regulation of Berlin currency, and (d) insisted on exclusive Soviet rights to control trade between Berlin and the Western zones or any third country.

Confronted with this impasse, the Military Governors broke off their technical discussions on September 7.

*72. September 3, 1948.*—The Communist members of the Berlin City Assembly, joined by splinter group members of the Christian Democratic, Liberal Democratic, and Social Democratic parties, formed the "Democratic Bloc of Berlin" and remained in the Soviet Sector as the Soviet recognized City Assembly following the withdrawal of the main body of the Assembly to the British sector (September 6).

*73. September 6, 1948.*—Because of continued Communist inspired riots (see entry of June 23) and refusal by the Soviet Commandant (August 27) to supply military guards to protect its sittings, the City Assembly moved from the Soviet to the British sector of Berlin.

*74. September 9, 1948.*—A huge anti-Soviet, anti-Communist demonstration of 300,000 Berliners was organized by the General Trade Union of the three Western sectors in front of the former Reichstag building in the British sector.

*75. September 13, 1948.*—The American and British Military Governors ordered a joint stoppage of all goods shipments by land and water originating in their respective zones to the Soviet zone of Germany and to any sector of Berlin. The Western sectors of Berlin were supplied solely by airlift. This step was taken in response to continued restrictions and impediments on interzonal traffic imposed by the Soviet authorities.

*76. September 14-18, 1948.*—The United States, the United Kingdom, and France on September 14 blamed the Soviet Union for the failure of the technical discussions held August 30 to September 7 by the four Military Governors for Germany. In an *aidé-mémoire* submitted by their Chiefs of Mission in Moscow to Premier Stalin and Foreign Minister Molotov, they pointed out that in these technical discussions the Soviet Military Governor had "departed from the understandings reached at Moscow relative to (1) restrictions on communications, transport, and commerce between Berlin and the Western zones, (2) the authority and functions of the [proposed] financial commission, and in particular its relation to the East German Bank of Emission; and (3) the control of the trade of Berlin."

In an *aidé-mémoire* delivered to the three Western Ambassadors in Moscow on September 18, Foreign Minister Molotov upheld the position taken by the Soviet Military Governor on the points at issue.

*77. September 22, 1948.*—Replying to the Soviet *aidé-mémoire* of September 18, the United States, the United Kingdom, and France, in identical notes, declared that the difference which had arisen in the technical discussions among the Military Governors for Germany derived "not from technical matters but from a fundamental difference of views \*\*\* as to the rights and obligations of the occupying powers in Berlin, their right to have access by air, rail, water and road to Berlin and to participate in the administration of the affairs of the city of Berlin." The three Powers declared their "final position" on the Berlin question to be as follows:

(A) They cannot accept the imposition of any restrictions on air traffic between Berlin and the Western zones.

(B) They insist that the Finance Commission must control the activities of the German Bank of Emission of the Soviet Zone in so far as they relate to the financial arrangements for the introduction and continued use of the Soviet Zone mark as the sole currency in the city of Berlin.

(C) They insist that trade between Berlin and the Western zones and other countries must be under quadripartite control, including the issuance of licences.

The three Powers concluded by asking whether the Soviet Government—

In order to create conditions which would permit a continuance of discussions, \* \* \* is now prepared to remove the blockade measures, thus restoring the right of the three Western Occupying Powers to free communications by rail, water, and road, and to specify the date on which this will be done.

78. September 25, 1948.—The Soviet Government spelled out in identic notes to the three Western Powers its own position regarding the points still at issue respecting the Berlin question. The Soviet notes maintained:

(A) As regards air communication between Berlin and the western zones, the establishment by the Soviet Command of a control over the transport of commercial cargoes and passengers is just as necessary in this case as in the case of railway, water and highway transport. The air routes cannot remain uncontrolled, since an understanding has been reached between the four Governments to the effect that the agreement must envisage the establishment of a corresponding control over currency circulation in Berlin and the trade of Berlin with the western zones.

(B) In the directive to the Military Governors adopted by the four Governments on August 30th the functions of control by the Four-Power financial commission of the execution of financial measures connected with the introduction and circulation of a single currency in Berlin were explicitly provided for \* \* \*

(C) The Soviet Government has already expressed its agreement that trade between Berlin, third countries and the western zones of Germany should be placed under the control of the Four Power financial commission. The Soviet Government now declares its readiness to agree to the establishment of Four-Power control likewise over the issuance of import and export licences, provided agreement is reached on all other questions.

79. September 26, 1948.—The three Western Powers sent identic notes to the Soviet Government indicating their decision to terminate the current fruitless negotiations on the remaining issues preventing a settlement of the Berlin question. They pointed out the discrepancies between assurances given by Premier Stalin in August and subsequent contentions by his subordinates in this series of negotiations; criticized the Soviet Government for its long and continuing intransigence on matters affecting the status of Berlin and the rights of the three Western Powers in the city; and concluded that they now were obliged to—

refer the action of the Soviet Government to the Security Council of the United Nations. (This referral by the Western Powers to the Security Council was made on September 29—see October 25 entry.)

80. September 29, 1948.—The City Assembly of the three Western sectors of Berlin voted (and the Magistrat approved) a set of regulations to govern the holding of city wide elections which it had scheduled, on September 6, for November 14. (The three Western Commandants approved these regulations on October 6, but the Soviet Commandant delayed his approval until October 20, at which time he attached such impossible conditions to his approval as to make elections possible only in the three Western sectors. The City Assembly, on October 8, changed the date of these elections to December 5.)

81. October 25, 1948.—The Soviet Representative on the U.N. Security Council, supported by his Ukrainian colleague, vetoed a draft resolution on the Berlin question. The resolution—drawn up by an

informal committee consisting of the six Security Council members not directly involved in the Berlin dispute—proposed (a) lifting of all restrictions on transport and communications between the Eastern and Western zones of occupation in Germany imposed by both the Soviet and Western authorities since March 1, 1948, (b) an immediate meeting of the four Military Governors for Germany to arrange a uniform currency for Berlin based on the new East German mark (points (a) and (b) being carried out under the terms of the August 30 Four-Power directive to the Military Governors), and (c) a subsequent meeting of the Council of Foreign Ministers to consider all questions relating to Germany.

The Soviet Representative cast his dissenting vote on the grounds that the draft resolution did not provide for "simultaneity" in the removal of blockade measures and in unification of the currency of Berlin.

The City Assembly of the Western sectors of Berlin revised its regulations for the December 5 city-wide elections (see September 29 entry) to provide, in the event the Soviet authorities prevented voting in East Berlin, for holding over the 32 members of the Assembly elected from the Soviet sector in 1946 until such time as it would be possible to have free elections in East Berlin.

*82. October 27, 1948.*—The Foreign Ministers of the United States, the United Kingdom, and France issued a statement in Paris, where they were attending the Third Session of the U.N. General Assembly, concerning the Soviet veto of the draft Security Council resolution on the Berlin question. They declared that the three Governments stood by "their expressed willingness to be guided by the principles embodied" in the resolution; that the question was still on the agenda of the Security Council; and that the three Governments were—

ready to continue to fulfill their obligations and to discharge their responsibilities as members of that body, which is still in a position to consider any development in the situation.

*83. November 10, 1948.*—The West Berlin Magistrat approved and promulgated a statute establishing the Free University of Berlin in the Dahlem borough of the U.S. sector as successor to the Communist-controlled Friedrich Wilhelm University in the Soviet sector. (See item of June 19, 1948.)

*84. November 13, 1948.*—The U.N. Secretary-General and the President of the U.N. General Assembly sent a joint communication to the Governments of the United States, the United Kingdom, France, and the Soviet Union urging upon them the need for a solution of the Berlin question. The point of departure in their message was the resolution unanimously adopted by the General Assembly on November 8 which had appealed to—

the powers signatory to the Moscow agreement of 24 December 1945 and the powers which subsequently acceded thereto, to redouble their efforts, in a spirit of solidarity and mutual understanding, to secure in the briefest possible time the final settlement of the war and the conclusion of all the peace settlements.

They urged that the four Powers begin immediate conversations on the Berlin question, take—

all other necessary steps toward the solution of this question—and—

lend their full and active support—

to the mediation efforts of the Security Council President.

For ourselves—

they said—

we stand ready to lend all further assistance, such as the currency study now being made by the United Nations General Assembly which seems most helpful to the great powers in the solution of the problem.

85. November 15, 1948.—The Soviet Commandant unilaterally dismissed and replaced Ernst Reuter as chief of the Magistrat's Traffic and Public Utilities Division (an act the Western Commandants refused to approve), thereby effecting a split between the three Western sectors and the Soviet sectors in this aspect of Berlin administration.

86. November 16, 1948.—Replying to the November 13 appeal from the U.N. Secretary General and the President of the General Assembly for a solution of the Berlin question, the Soviet Government reiterated that the August 30 Four-Power directive to the Military Governors in Germany had been violated by the Western Powers and contended that consequently a meeting of the Council of Foreign Ministers should be held to discuss the question of an all German settlement, of which the Berlin problem was but one element.

The Soviet authorities dismissed Gustav Klingelhofer, chief of the Berlin Magistrat's Economics Division, and appointed Ernst Dusiska in his place. This step was not sanctioned by the Western Commandants and thus resulted in two rival Economics Divisions for Berlin.

87. November 17, 1948.—Replying to the joint communication of November 13 from the U.N. Secretary-General and the President of the General Assembly, the United States, Great Britain, and France reiterated that they supported the Security Council resolution which had been vetoed by the Soviet Representative on October 25 and declared that they were ready—

to take part in the efforts of the Security Council to solve the Berlin problem, and to participate in any efforts made to meet the fundamental issues inherent in this problem which will remove the threat to the peace and which can be accepted in good faith by the parties concerned.

They stated their view of the issue in the Berlin crisis as being—

whether or not the Soviet Government can be permitted to use force, whether by way of blockade, or of economic pressures involving currency, credit or trade, or otherwise, to deprive the Western Powers of participation in the administration of Berlin.

88. November 20, 1948.—The President of the U.N. Security Council submitted to each of the four Governments involved in the Berlin dispute a list of five questions designed to elicit their views on the character, functions, and powers of a four-power body to supervise currency arrangements in Berlin and on the manner in which trade between Berlin and the Western zones of Germany and third countries should be controlled.

89. November 23, 1948.—The four Governments involved in the Berlin dispute replied (the three Western Powers jointly and the Soviet Union separately) to the U.N. Security Council President's questionnaire of November 20. The two sets of replies were in relative harmony with respect to the technical problems, the chief difference lying in the Western Powers' suggestion that the Berlin Magistrat

execute, under supervision by the proposed finance commission, many of the duties which the Soviet reply proposed be handled by the commission directly or by the Commandants. The Western Governments also contended that any arrangements made should assure full quadripartite control over the provision of adequate amounts of currency and credit in all four sectors of Berlin. They added that—

It will inevitably be difficult in practice to exercise four-power control of currency in a city in which the previous unified administration under four-power supervision is not fully functioning at present and is indeed being rapidly diminished.

90. November 29, 1948—The Soviet Military Governor in Germany wrote the three Western Military Governors that "elements" supported by the three Western Commandants in Berlin were responsible for the splitting up of Berlin's administrative agencies. He complained particularly about the—

separate elections in the Western sectors on December 5 (which) aim at liquidating united municipal administrative agencies, at creating a separate Magistrat in the Western sectors for the uncontrolled management of these sectors by Western military authorities, and at encouraging the activities of the anti-democratic and openly reactionary elements of the city.

91. November 30, 1948—The Soviet authorities set up a separate Magistrat for their sector of Berlin at an "extraordinary session" of the Berlin City Assembly attended by only the 26 Socialist Unity party members, supplemented by delegates of the "Democratic Bloc" parties, mass organizations and industrial plant workers' representatives. Friedrich Ebert was elected "Oberbuergermeister von Gross Berlin". A representative each of the Christian Democratic, Liberal Democratic, and Social Democratic Parties of East Berlin was made Buergermeister, and the 14 department heads in the Magistrat were distributed, 4 to the Socialist Unity Party, 3 to the Christian Democrats, 2 to the Liberal Democrats, and 1 to the Social Democrats, 4 posts being allotted to the mass organizations.

The three Western Military Governors in Germany sent identical replies to the Soviet Military Governor's letter of the preceding day, giving reassurances concerning the legality and purpose of the December 5 elections in the three Western sectors of Berlin. Noting the creation of a separate Magistrat for East Berlin by the dissident East Berlin City Assembly, the Western Military Governors requested that they be informed—

whether in fact the illegal action of these persons was taken with your [the Soviet Military Governor's] approval.

They reiterated that they wished—

to see reestablished at Berlin a situation corresponding to the accords which were concluded among us and which would permit, under quadripartite control, the unrestricted application of the Berlin constitution (of 1946) which was approved by the four occupying powers.

The President of the United Nations Security Council proposed—  
to invite the Governments of Belgium, Canada, China, Colombia, and Syria, each to nominate a financial or economic expert, who, together with an expert nominated by the Government of Argentina, shall meet in Paris and whose task shall be to consider and make recommendation to the President of the Security Council upon the most equitable conditions, taking into account the directive of August 30, 1948, as well as information concerning events subsequent thereto, for the agreement among the occupying powers relating to introduction, circulation and continued use of a single currency for Berlin under adequate four-power

supervision and import and export regulations in connection with outside trade of Berlin.

A member of the U.N. Secretariat would join this group, whose findings were to be completed within thirty days.

92. December 1, 1948.—The United States, the United Kingdom, and France jointly welcomed the Security Council President's proposal of the preceding day, adding, however, that—

(a) "They must reserve entirely" their position "as regards any resolution which may subsequently be submitted to the Security Council after the Committee have reported. They would require to consider any such resolution in the light of the Committee's report and of the general circumstances prevailing at that time."

(b) "The three governments \* \* \* repeat the reservation of their rights \* \* \* 'to take such measures as may be necessary to maintain in these circumstances their position in Berlin' pending the outcome of the further efforts of the President of the Security Council with which efforts France, the United Kingdom and the United States have cooperated and will continue to cooperate."

(The Soviet Government accepted the Security Council President's proposal on December 4.)

The regular Berlin Magistrat was expelled from the City Hall in the Soviet sector; it moved provisionally to the British sector.

93. December 3, 1948.—The Soviet Commandant of Berlin informed the newly-formed East Berlin administration that "the Soviet Kommandatura recognizes the provisional democratic Magistrat of Greater Berlin, elected in the extraordinary session, as the only legal organ of the city government."

94. December 5, 1948.—Elections held in the three Western sectors of Berlin gave the Social Democrats 76 (16 held over from the Soviet sector) of the 130 seats in the City Assembly. The Christian Democrats obtained 28 (including 5 held over from the Soviet sector) and the Free Democrats 17. The 11 Communists elected from the Soviet sector in 1946—who were entitled under the Assembly's election regulations, as revised on October 25, to keep their seats in the Assembly in the absence of any voting in the Soviet sector—refused to sit with this body.

95. December 7, 1948.—Ernst Reuter was elected Oberbürgermeister by the old City Assembly of the three Western sectors of Berlin, which continued in office until the newly-elected City Assembly took over in January.

96. December 21, 1948.—The three Western Commandants in Berlin, who had issued concurrent but separate orders in their three sectors ever since the Soviet Commandant's walk-out from the Allied Kommandatura on June 16, announced that they would function on a tripartite basis from this date onward, while keeping on record a continuing invitation to the Soviet Commandant to rejoin the Kommandatura's ranks on a quadripartite basis.

97. January 5, 1949.—Soviet authorities in East Germany reduced the electric power transmitted to the Western sectors of Berlin from 88 to 36 thousand kilowatt hours daily. This was but one of many measures taken by the Soviet authorities, or by German officials under their supervision, in January and February which penalized the Western sectors—such as requiring Soviet sector identity plates for

vehicles seeking to enter that sector, requiring special permits for the passage of goods from the Soviet sector to the Western sectors, and setting up rival or separate agencies to perform in the Soviet sector functions previously performed by existing municipal agencies for the city as a whole.

98. *January 16, 1949*.—The City Assembly, which had been elected on December 5, 1948, held its first session in the City Hall at Schoenberge in the U.S. sector, reelected Dr. Ernst Reuter Oberbaumeister, and elected Dr. Otto Suhr Chairman of the Assembly. (Subsequently, at a session on January 19, the Assembly approved a 14 member Magistrat, nominated by the Oberbaumeister, of 8 Social Democrats, 3 Christian Democrats, and 3 Liberal Democrats.)

99. *January 20, 1949*.—The Soviet sector of Berlin set up as a substitute for a City Assembly a "standing working committee" of 6 members each of the Socialist Unity Party, the Liberal Democratic Party, and the Christian Democratic Union, together with representatives of the "democratic mass organizations".

100. *January 30, 1949*.—Replying to a series of questions submitted to him on January 27 by Kingsbury Smith, the General Manager in Europe of the International News Service, Premier Stalin agreed to raise the Berlin blockade if the Western Powers would postpone creation of a West German state and agree to attend a four-power Foreign Ministers conference on Germany, "on the understanding, however, that transport and trade restrictions introduced by the three [Western] powers should be lifted simultaneously."

101. *February 8, 1949*.—Commenting on Premier Stalin's reply of January 30 to the questions put to him by Kingsbury Smith, Secretary of State Acheson, at his weekly news conference, repeated the assurances often made by the Western Powers that "agreements on Western Germany do not in any sense preclude agreement on Germany as a whole" and that all steps taken with respect to Western Germany were "purely provisional pending such agreement on Germany as a whole". He promised that "if the Soviet Government permits normal communications with and within Berlin, their [the Western Powers'] counter measures will, of course, be lifted." With reference to the holding of a meeting of the Foreign Ministers, Mr. Acheson said:

There are many ways in which a nations proposal by the Soviet Government to restore normal interzonal communications and communications with and within Berlin could be made. All channels are open for any suggestions to that end. The United States, together with the other Western occupying powers, would, of course, consider carefully any proposal made to solve the Berlin problem consistent with their rights, their duties, their obligations as occupying powers.

102. *February 17, 1949*.—The East Berlin "Magistrat" ordered the reestablishment of house and street wardens in the Soviet sector according to the system formerly used by the National Socialists. The reintroduction of the system was to be completed by March 15.

103. *March 2, 1949*.—The Military Governors of the three Western occupation zones of Germany informed the West German Parliamentary Council, with reference to the draft German constitution which had been adopted by the Council on February 10, that they took exception to the portion of Article 22 which would incorporate Berlin into the Federal Republic with separate Land status. They suggested, however, that "there would be no objection to the responsible

authorities in Berlin designating a small number of representatives to attend the meetings of the [Federal] Parliament."

104. *March 15-21, 1949.*—The Soviet Representative on the U.N. Security Council informed the U.S. Deputy Representative, who had made informal inquiry on February 15, that it "was not accidental" that Premier Stalin in his January 30 press interview had omitted any reference to the currency problem in Berlin. The Soviet view was that this question could best be discussed in a meeting of the Foreign Ministers convened to talk over the entire German problem. The U.S. Deputy Representative then inquired whether the Foreign Ministers conference was to be held prior to or following the lifting of the Berlin blockade. The Soviet Representative replied on March 21 that the restrictions imposed by both sides in Berlin might be lifted as soon as a definite date had been set for a Foreign Ministers-meeting to review the entire German problem.

105. *March 16, 1949.*—A report submitted to the U.N. Security Council on February 11 by a special U.N. Technical Committee on Berlin Currency and Trade which had been set up on November 30, 1948 was made public. The report told of the Committee's vain efforts to settle the currency and trade dispute plaguing the city. In a separate statement issued at the same time, the United States, the United Kingdom, and France stressed that the Committee's failure to arrive at a satisfactory solution to the problem had been due to Soviet refusal to revoke the many unilateral steps taken by the Soviet authorities in Berlin which had divided the city administration. The three governments stated their continued willingness—

to consider any equitable solution which will adequately safeguard the legitimate interests of both the Western and Eastern sectors of the city.

106. *March 17, 1949.*—The East Berlin "Magistrat" adopted a socialization law for the Soviet sector of Berlin. (A decree of April 25, in effect, expropriated houses and land in East Berlin, and a law of May 1 brought about "socialization" of all banks, insurance companies, and related businesses.)

107. *March 20, 1949.*—The West Berlin Commandants ordered the West German mark to be used as the sole legal currency in the three Western sectors, effective as of this date. Holders of East German marks in the Western sectors were permitted to exchange them on a 1 for 1 basis up to 15 marks.

108. *April 8, 1949.*—The Foreign Ministers of the United States, the United Kingdom, and France met in Washington and signed a series of agreements setting forth the basic principles for merging their three zones of occupation, including the establishment of the Allied High Commission and harmonization of its operations with the provisions of the Occupation Statute for Germany. They attached to these agreements an "Agreed Minute Respecting Berlin", which read:

It was agreed that the provisions of the Agreement as to Tripartite Control shall be applied as far as practicable to the western sectors of Berlin.

A draft of a simplified Occupation Statute was agreed upon and transmitted to the Parliamentary Council in Bonn.

109. *April 20, 1949.*—The American Military Governor in Germany issued Property Control Law No. 19 transferring to the Laender in the American zone of occupation and to the City of West Ber-

lin (with respect to property in the U.S. sector) title and claim to property formerly held by the Reich, Laender, and provinces prior to May 8, 1945. (Similar action was taken by the French Military Governor on June 6.)

*110. April 22, 1949.*—The Military Governors of the Western zones formally communicated to the German Parliamentary Council at Bonn the views of the Foreign Ministers of the United States, the United Kingdom, and France on the draft Basic Law for Germany, views which the Foreign Ministers had transmitted to the Military Governors on April 8. Among the points the Foreign Ministers made was that Berlin "at this time" should not be "included as a Land in the initial organization of the [German] Federal Republic."

*111. May 4, 1949.*—The Representatives on the U.N. Security Council of the four occupying powers in Germany, who had held earlier talks on April 5, 10, and 27, issued a communiqué indicating that their Governments had agreed (a) to remove on or before May 12 the restrictions they had imposed on communications, transportation, and trade between Berlin and the Eastern and Western zones of occupation in Germany and (b) to hold a meeting of the Council of Foreign Ministers to discuss—

problems arising out of the situation in Berlin, including also the question of currency in Berlin.

*112. May 8-12, 1949.*—The West German Parliamentary Council on May 8 approved by a vote of 53 to 12 the final version of the Basic Law for Germany, Article 23 of which (Article 22 in the February 10 draft) included "Greater Berlin" as one of the Laender in which the Basic Law was to be applied, and Article 144(2) of which specified (with respect to Berlin) that—

Insofar as restrictions are imposed on the application of the Basic Law to one of the Laender enumerated in Article 23, paragraph (1), or to a part of one of these Laender, that Land or a part of that Land shall have the right \*\*\* to send representatives to the Bundestag and \*\*\* to the Bundesrat.

On May 12, the Military Governors of the three Western occupations zones of Germany, in a letter to the West Germany Parliamentary Council, approved the final draft of the Basic Law for Germany, adding, with respect to Berlin, however, a reservation that—

We interpret the effect of Articles 23 and 144(2) of the Basic Law as constituting acceptance of our previous request [see March 2 entry] that, while Berlin may not be accorded voting membership in the Bundestag or Bundesrat nor be governed by the Federation, she may, nevertheless, designate a small number of representatives to attend the meetings of these legislative bodies.

*113. May 10-28, 1949.*—The West German Parliamentary Council at Bonn on May 10 adopted a draft Electoral Law for Germany which made the following provision respecting Berlin's representation in the Bundestag:

The Parliamentary Council recommends that the City Assembly of Berlin, while awaiting the entry of Land Berlin into the Federal Republic of Germany, shall send 15 representatives from among its members in an advisory capacity to the Bundestag.

(This represented a reduction from the 30 representatives for "Land" Berlin provided for in a February 24 draft.)

On May 28 the three Western Military Governors informed the Ministers-President of the Laender of the three Western zones of occupation that, with respect to Berlin's representation in the Bundestag as provided in Article 26 of the Electoral Law—

15 advisory representatives from Berlin goes beyond the "small number" authorized, and, further, in no event are [the Military Governors] prepared to approve more than eight.

114. *May 12, 1949.*—The blockade of Berlin, which had lasted for 10 months and 23 days, was lifted at 1201 hours.

115. *May 14, 1949.*—The three Western Commandants in Berlin, with the approval of the Military Governors of the three Western zones of occupation in Germany, issued to the Berlin City Government a "Statement of Principles" designed to accord to Berlin a measure of self-government comparable to that granted the three Western zones of occupation of Germany in the Occupation Statute of April 8, 1949. The Commandants reserved—

the right to resume in whole or in part the exercise of full authority if they consider that to do so is essential to security or to preserve democratic government, or in pursuance of the international obligations of their governments.

Furthermore—

in the special circumstances prevailing in Berlin, the occupation authorities reserve the right to intervene, in an emergency, and issue orders to insure the security, good order, and financial and economic stability of the city.

(The transfer of authority to the West Berlin Magistrat under the Statement of Principles was effected on June 15.)

116. *May 15-16, 1949.*—Elections for 1525 delegates to attend a Third "German People's Congress" were held throughout the Soviet zone of Germany and the Soviet sector of Berlin, East Berlin being allowed to elect 25 of this total number of delegates from its Social Democrat party. Of the total, only 1400 were actually "elected". In addition, 616 delegates were elected in the three Western zones of Germany. The purpose of electing such a congress was to ratify a constitution for all Germany. (The Western Military Governors had prohibited, on April 22, the use of any official facilities in West Germany and West Berlin in connection with these elections.)

117. *May 15-19, 1949.* The Soviet Military Administration in East Germany re-imposed and then, after protests by the three Western Military Governors, revoked certain restrictions on traffic between the Eastern and Western zones of Germany and between West Berlin and the Western zones. These restrictions included: (a) requirement of "letters of intent" in addition to interzonal passes for non-official travel from the Western zones to or through the Soviet zone, (b) demands for additional documentation to accompany freight shipments from West Berlin to the Western zones, and (c) "sealing" of West German passenger trains while in the Soviet zone.

118. *May 21, 1949.*—The non-Communist members of Berlin's Railroad Workers' Union struck for payment of their salaries by the East Berlin Railroad Administration in West German marks. (The strike lasted until June 28. Beginning May 27, rail traffic from the Western zones to Berlin was halted. Buses and planes were used for passenger traffic and trucks and planes for freight, pending settlement of the strike.)

The West Berlin City Assembly voted its unanimous approval of the Basic Law for West Germany (previously approved by the Magistrat on May 19). (Berlin was not required by the terms of the Basic Law to voice assent or dissent to its provisions.)

119. *May 23, 1949.*—The Sixth Session of the Council of Foreign Ministers was opened in Paris, to consider the Berlin question and the larger problem of Germany.

120. *June 3, 1949.*—The four Berlin Commandants met for the first time since July 1948 as a quadripartite body and failed to reach agreement on steps to resolve the railroad strike.

121. *June 7, 1949.*—The three Western Commandants signed in Berlin an agreement for "Revised Internal Procedure for the Allied Kommandatura" which correlated its tripartite activities with those of the Allied High Commission at Bonn. An important departure from previous procedure was effected by requiring a unanimous vote of the Kommandatura only in connection with approving amendments to the Berlin Constitution; on all other matters a majority vote was to suffice. Provision was also made for appeal to the High Commission of any matter on which a Commandant dissented.

122. *June 15, 1949.*—An Electoral Law for Western Germany was promulgated in all of the Laender of the three Western zones of occupation. With respect to Berlin, it provided, in accordance with the wishes of the three Western Military Governors (see entry of May 10-28), for a smaller representation in the West German Bundestag than had originally been intended. Article 26, pertaining to Berlin, read:

Greater Berlin shall have the right to send eight delegates to the Bundestag in an advisory capacity, until the Land Berlin will join the Federal Republic of Germany.

(The law had been approved by the Ministers-President of the West German Laender on May 31 and by the Western Military Governors on June 12.)

123. *June 20, 1949.*—The Council of Foreign Ministers, which had been considering the question of Germany since May 23, terminated its Sixth Session with a communiqué in which the Foreign Ministers agreed to "maintain" the "New York Agreement of May 4, 1949" and to hold future consultations which "will have as their purpose, among others, to mitigate the effects of the present administrative division of Germany and of Berlin notably in the matters" of trade, economic and financial relations, travel, exchange of information, and—

questions of common interest relating to the administration of the four sectors in Berlin.

124. *June 24, 1949.*—The American-British Economic Council of the Bizonal Economic Area decided to include West Berlin in this area.

125. *July 8-14, 1949.*—The Soviet authorities in East Germany closed down the principal border crossing points between their zone and the West and limited highway traffic to Berlin to one autobahn. Following representations by the three Western Commandants in Berlin, on July 12, all these restrictions were lifted.

126. July 26, 1949.—The four Military Governors for Germany met in Berlin and agreed to the establishment of two groups of experts, one to draft plans for normalization of interzonal trade, and the other to deal with questions relating only to Berlin. (The first group, which consisted of representatives of the Economics Ministries of West and East Germany, concluded an agreement on October 8. The second group, which dealt only with questions relating to Berlin and consisted of the four Berlin Commandants, achieved no positive results and broke off its negotiations on September 28.)

127. August 6, 1949.—Having received a memorandum from the West Berlin Magistrat requesting Berlin's inclusion in the European Recovery Program (July 30), the three Western Commandants in Berlin recommended to the three Western Military Governors that Berlin be accorded some form of aid to halt the deterioration of the economic situation in the city. (The United States High Commissioner designate for Germany subsequently announced, on August 16, that West Berlin would receive DM 50 million in Marshall Plan aid.)

128. August 13, 1949.—The United States, Belgium, Brazil, Canada, Ceylon, China, France, India, Luxembourg, the Netherlands, Norway, Pakistan, the Union of South Africa, the United Kingdom, Syria, and the Dominican Republic signed at Annecy a memorandum of understanding extending to the three Western sectors of Berlin the benefits of the most favored nation treatment accorded to the three Western zones of occupation in Germany by the agreement of September 14, 1948.

129. August 14, 1949.—Concurrently with the elections held in West Germany for members of the Bundestag, the City Assembly of the three Western sectors of Berlin named 8 advisory representatives to sit in the Bundestag. Five Social Democrats, 2 Christian Democrats, and 1 Free Democrat were selected. (The Western Commandants, on June 25, had rejected the request embodied in the City Assembly's resolution of June 21 to take an action which would have the effect of permitting Berlin to take part in the general elections. The action requested was that the Western Powers remove their reservation—see May 8—with respect to that part of Article 23 of the Basic Law for Germany which listed Greater Berlin as a Land.)

130. September 5, 1949.—The Magistrat of the three Western sectors of Berlin appointed 4 non voting representatives to occupy the seats allotted to Berlin in the Federal Bundesrat at Bonn.

131. September 17, 1949.—A proposal made by the Soviet zone Free German Trade Union League on September 16, for a joint meeting with the West Berlin Independent Trade Union Organization to plan for the normalization of conditions throughout Berlin was rejected by the latter, pending agreement of the Soviet zone trade union to oppose firings of West Berlin employees by the East Berlin Railroad Administration.

132. September 21, 1949.—The Federal Republic of Germany, with its capital at Bonn, officially came into being with the entry into force of the Occupation Statute for Germany and the Charter of the Allied High Commission.

133. September 30, 1949.—The Berlin airlift was terminated.

134. October 7, 1949.—The "German People's Council", meeting in the Soviet sector of Berlin, assumed its legislative duties as the "People's Chamber" under the constitution approved on March 19

by an earlier "People's Council" and passed on May 30 by the Third "German People's Congress". It proclaimed the "German Democratic Republic", with Berlin as its capital; promulgated the East German constitution; elected a provisional government to serve until such time as elections could be held for a new lower house, set October 15, 1950 as the date for such elections, established the basis for selecting the members of the upper house ("Chamber of States"); and adopted a 20-point "manifesto", one point of which called for "normalization" of life in Berlin.

(On October 10, the five East German *Landes* elected 34 delegates to the "Chamber of States" and the Soviet sector of Berlin—not rated as a Land under the East German constitution—elected 7 non-voting "observers". On October 16, the "People's Chamber" permitted its East Berlin members to participate in voting in the Chamber as members of their political parties. The same privilege was not extended to the East Berlin members of the "Chamber of States".)

133. *October 8, 1949*.—The West Berlin City Assembly met in extraordinary session, denounced the establishment of the "German Democratic Republic", and passed a resolution calling on the German Federal Republic in Bonn to make Berlin its capital and transfer to it all Federal agencies.

The West and East German authorities concluded an agreement to exchange goods totalling DM 570 million in value during the period November 1, 1949 to June 30, 1950. Approximately one third of the East German orders for West German goods were to be placed with West Berlin concerns.

136. *October 16, 1949*.—The Soviet Government announced the termination of the Soviet Military Administration in its zone of occupation in Germany, substituting therefor a Soviet Control Commission.

137. *October 20 November 7, 1949*.—The Federal Bundestag in Bonn passed legislation authorizing a financial and economic aid program for West Berlin.

This step was followed, on October 21, by a statement issued by the Allied High Commission in Bonn, which outlined the negotiations then under way between the High Commission and the Bonn Government with respect to economic aid for Berlin, all parties concerned being "impressed with the need for immediate action".

On October 27 representatives of the West Berlin Magistrat, the West German Federal Ministry of Finance, and the Finance Ministers of the West German *Landes* agreed that West Berlin should receive from Federal funds a monthly subsidy of DM 60 million until March 1950.

On the following day, October 28, the Federal Government and the ECA Mission in Germany agreed immediately to make available DM 44 million of the DM 55 million counterpart funds (announced on August 16 by the U.S. High Commissioner as having been allocated to Berlin) to restore to operating order the electric power station at Spandau. The remaining DM 11 million was shortly afterward allotted to this project.

On November 7, the Federal Government agreed to incorporate West Berlin's estimates for Marshall Plan aid in all future Federal estimates, and the West Berlin Magistrat thereupon dropped its request of July 30 for direct participation in the European Recovery Program.

138. *October 21, 1949.*—Besides giving economic aid assurances to Berlin (as described in the October 20-November 7, 1949 entry), the Allied High Commission statement of this date indicated that the High Commission had "again under consideration the special situation of Berlin" and that the three Allied Governments were determined "to maintain their rights and obligations in that city, and the interest, both economic and political, of its inhabitants." The statement reiterated that Berlin had the High Commission's "fullest moral and material support" and was regarded by the High Commission "as being confided to the care of the Western Occupying Powers in a special manner."

139. *November 10, 1949.*—The Foreign Ministers of the United States, the United Kingdom, and France, at the end of a two day conference in Paris (November 9-10), agreed on a directive to their respective High Commissioners at Bonn regarding the future of dismantling operations in Germany, including instructions for the complete cessation of dismantling in Berlin. (These instructions were formalized in the Petersburg Protocol of November 22, 1949.)

140. *November 19, 1949.*—The Soviet Commandant in Berlin transferred the administrative functions formerly performed by the Soviet Kommandatura to the East Berlin "Magistrat".

141. *December 6-16, 1949.*—The three Western Commandants in Berlin announced that they would not resume talks with their Soviet colleague on steps to normalize conditions in Berlin, broken off on September 28, until the Soviet authorities would agree to abide by the terms of the settlement of the railroad strike. The Soviet Control Commission countered, on December 15, by inviting the three Western Commandants to resume regular quadripartite meetings of the Allied Kommandatura.

142. *December 16, 1949.*—The United States High Commissioner and the German Federal Chancellor signed at Bonn an Economic Cooperation Agreement, to enter into force provisionally on December 29 and to remain in force until June 30, 1953, Article VII of which read:

The Federal Republic agrees to make available to the US, UK and French Sector of Berlin, to the maximum extent possible, such assistance as may, in consultation between the Governments of the Federal Republic and the City of Berlin, be determined to be required for the economic maintenance and development of that area.

In paragraph 10 of the Annex to this agreement, the United States pledged itself—

in fixing the obligations of the Federal Republic \*\*\* to take into account the economic, financial and budgetary position of the Federal Republic and of Berlin.

Simultaneously with the signature of this agreement, the U.S. Commandant in Berlin made public the size and intended use of the counterpart funds to be made available to Berlin under this agreement. Of the DM 95,000,000 total, 50,000,000 was intended for housing and small industries, 40,000,000 for heavy industry, and 5,000,000 for public communications and transport systems.

143. *January 13, 1950.*—The three Western Commandants in Berlin complained to the Soviet Commandant over Soviet failure to live up to the promises which had made possible a settlement of the railway strike in Berlin on June 28, 1949. They expressed willingness

to resume four-power operation of the Kommandatura whenever these promises should be fulfilled. (The Soviet Commandant's reply, on February 7, was that he had earlier answered their "unfounded" charges.)

144. January 26, 1950.—The Western Commandants in Berlin protested to the Soviet Commandant a series of recent restrictions on traffic into Berlin which had been imposed by Soviet authorities in violation of the 1949 Berlin blockade settlement. These restrictions included a hold up, since January 13, of a shipment of scrap metal from West Berlin to West Germany and a "slow down", imposed on January 23, on Western traffic on the Helmstedt-Berlin autobahn. (The autobahn traffic "slow-down" was temporarily lifted and then reimposed on January 30-31; it was again lifted on February 5 and again reimposed on February 23. In a reply on February 4 to the Western protest the Soviet Commandant blamed the need for the Soviet restrictions on Western "abuse" of regular interzonal traffic procedure.)

145. January 27 February 1, 1950.—The East German Ministry of the Interior announced on January 27 that thenceforth all Western traffic into or through the Soviet zone of Germany or the Soviet sector of Berlin would be required to obtain special permits from the East German People's Police. Supervision of East-West boundaries in Germany was transferred to the East German People's Police by Soviet authorities on February 1.

146. February 8, 1950.—The West German Government stopped shipments of iron and steel to East Germany because of the latter's failure to live up to the terms of the October 8, 1949 trade agreement.

In an address at Stuttgart at ceremonies inaugurating a new Amerika Haus, the United States High Commissioner for Germany said that "the city of Berlin . . . will continue to receive aid and support of the people of the United States . . . , and all measures to bring it closer to the people of the Western [German] Republic will be encouraged." Referring to recent Soviet restrictions on traffic into Berlin, the High Commissioner declared that "the present harassment will no more succeed than did the former." "Whatever the High Commissioners and the Western Republic find it necessary to do to aid the city," he continued, "and to destroy the effect of these interferences will, I know, have the support of the people of the United States."

147. February 10-March 2, 1950.—The Western Commandants on February 10 protested to the Soviet Commandant the holding up of truck and barge traffic in scrap metal from West Berlin to the Western zones of Germany, repeating their protest on February 11 and 18. The Soviet Commandant replied on March 2 that it was the Western Powers which had violated agreed provisions regulating East-West traffic in Germany, thereby causing the countermeasures taken by the Soviet authorities which the Western Commandants were protesting. Truck traffic was gradually permitted to move again, beginning February 19, and barge traffic beginning February 22.

148. March 2, 1950.—The West Berlin Magistrat, with the approval of the three Western Commandants, issued instructions to prevent any incidents in the proposed Whitsuntide rally in Berlin of the Communist-sponsored Free German Youth. It also issued a prohibition against extension of the rally into West Berlin. (A subsequent

appeal of the East German leader of the Free German Youth for a withdrawal of this prohibition, made to the West Berlin Magistrate on April 25, was rejected by that body on April 26.)

149. *March 24, 1950.*—The West German Government made known its decision to establish a number of Federal agencies in West Berlin. (This decision was never implemented except to the extent that several of the Federal agencies set up functional offices in Berlin.)

150. *April 4, 1950.*—In an address before the Pilgrims' Society in London, the United States High Commissioner for Germany, referring to Berlin, declared:

The Soviet pressure to absorb Berlin and force us out is strong proof of the challenge of Western ideals. As an outpost behind the Iron Curtain, Berlin is a constant reminder to the satellite peoples of the possibility of a different way of life—a reminder which no amount of propaganda can erase, a reminder which the Soviets recognize as a standing threat to their coercive system.

The Communists will not succeed in taking over the city of Berlin. The free men and women of the city will not permit it, and we will not permit it. The British, the French, and the Americans are fully determined and fully united. We shall stay in Berlin.

151. *April 16-19, 1950.*—Accompanied by the West German Ministers of Economics, Justice, and All-German Affairs, Chancellor Adenauer paid a state visit to West Berlin and gave repeated assurances that the fates of Berlin and West Germany were inextricably bound together.

152. *April 20-21, 1950.*—The City Assembly of West Berlin adopted a resolution asking the four Commandants to agree to the holding of elections in all four sectors and to approve the 1948 draft constitution for the city.

The three Western Commandants replied on April 21 that any elections "should be held under quadripartite supervision in order to ensure that no pressure is brought to bear on either persons or parties." Referring to the possibility of adopting the 1948 constitution, the Commandants declared it "essential" that in any reunification of the city the principles of the May 1949 Statement of Principles be maintained. They expressed a desire to resume the quadripartite operation of the Kommandatura "in accordance with a procedure which would ensure the expeditious dispatch of business." A copy of this reply of the three Western Commandants was sent to the Soviet Commandant.

153. *May 8, 1950.*—The Soviet Commandant replied to the West Berlin City Assembly's request of April 20 for the holding of free elections, agreeing to the request but attaching seven conditions concerning which the City Assembly commented on June 1 and the Western Commandants on June 9. The seven conditions were (a) application of four-power supervision "on the basis of the election procedure applied in October 1946"; (b) establishment of a German election commission in which East and West Berlin would be represented on a 50-50 basis to exercise the functions performed by the Magistrat in the 1946 elections; (c) re-enfranchisement of Nazi party members except for those condemned in court proceedings; (d) extension of the right to nominate candidates for the Magistrat to "all public organizations licensed by the Kommandatura" as well as to all political parties; (e) exercise of its functions by the newly elected City Administration "on the basis of the Constitution of Greater Berlin of 1946"; (f) annulment of the May 1949 Statement of Prin-

ciples in the Western sectors and granting of "freedom of activity" in the Western sectors to "democratic organizations"; and (g) withdrawal of all occupation troops from Berlin together with the abolition of divisions between sectors.

154. *May 19, 1950.* -At the conclusion of talks on West German political development begun on May 11 in London, the Foreign Ministers of the United States, the United Kingdom, and France issued a separate statement on Berlin which read:

The three Western Occupation Powers will continue to uphold their rights in Berlin. They are resolved now as in the past to protect the democratic rights of the inhabitants and will cooperate with the German authorities to improve to the utmost the economic position of the three Western sectors. Meanwhile the three Governments will continue to seek the reunification of the city in free elections in order that Berlin may take its due place in a free and united Germany.

155. *May 24-29, 1950.* A series of mass demonstrations, restricted to the Soviet sector of Berlin, was staged by the "Free German Youth" and "People's Police" organizations of the Soviet zone of Germany (some 400,000 of the former and about 10,000 of the latter). Though the demonstrations had the purpose of "rescuing" West Berlin from the "capitalistic warmongers", they passed without serious incident.

156. *June 1, 1950.* —The City Assembly of the three Western sectors of Berlin responded to the Soviet Commandant's proposals of May 8 outlining conditions for the holding of elections throughout Berlin by adopting a declaration which (1) accepted the first Soviet condition; (2) rejected 50-50 representation of East and West Berlin in the election commission in favor of proportional representation; (3) agreed to re-enfranchisement of former Nazi party members; (4) declined the right of "organizations other than political parties" to nominate candidates to the Magistrat; (5) refused to accept the expired 1946 constitution as the basis for administering the city's affairs and expressed readiness of the City Assembly "to recognize the Constitution of April 22, 1948"; (6) refused to agree to the revocation of the Statement of Principles of 1949 since to do so would restore "the veto right of a single occupying power"; and (7) agreed to the abolition of sectors in Berlin but made no reference to withdrawal of occupation forces.

157. *June 9, 1950.* —The three Western Commandants, in a letter of reply to the Soviet proposals of May 8 regarding the conditions to be imposed on the holding of elections in Berlin, declined to agree to (1) 50-50 representation of East and West Berlin in the German election commission, (2) retention of the defunct 1946 Temporary Constitution, (3) revocation of the 1949 Statement of Principles, (4) the right of non-party organizations to put up candidates for the Magistrat, and (5) withdrawal of the occupation forces. They suggested the following four principles as a guide to the reunification of Berlin:

- (1) There should be a freely elected city government operating under a constitution drafted by representatives of the people.
- (2) There should be city wide freedom of activity for all democratic political parties and public organizations before, during, and after the elections.
- (3) There should be individual freedom of movement, freedom from arbitrary arrest and detention, freedom of association and assembly, and freedom of speech, press and radio throughout Berlin.

(4) Quadrilateral work within the Allied Kommandatura should be resumed provided it is based on a procedure which would permit expeditious dispatch of business and effective functioning of the city government, in particular with the exclusion of the right of veto.

158. *June 16, 1950.*—The Allied High Commission approved a procedure for the initial phase of a gradual relaxation of existing restrictions on foreign investments in West Germany, including the three Western sectors of Berlin. (The new procedure, which went into effect immediately, had been approved by the Council of the Allied High Commission on May 31, by the Finance Ministry of the German Federal Republic on June 6, and by representatives of the Benelux countries on June 9.) The new regulations afforded investment opportunities to foreign owners of property and funds in West Germany and West Berlin and to any foreigners desiring to bring new capital into these areas.

159. *June 24, 1950.*—Replying to the Western Commandants' letter of June 10 regarding steps to be taken to reunify the City of Berlin, the Berlin Representative of the Soviet Control Commission placed the blame for continued division of the city on the Western Powers, declaring that withdrawal of garrisons would contribute toward reunification.

160. *July 2-3, 1950.*—The Soviet authorities in East Berlin imposed a series of temporary "nuisance" restrictions on the three Western sectors of the city, these restrictions including the cutting off of electric power and of the water supply from the Eastern to the Western sectors.

161. *August 9, 1950.*—The Electoral Law enacted by the East German Provisional People's Chamber permitted the people of "Greater Berlin" to stand for election to the legislature of the Soviet Zone (Article 3), and provided that "the capital of Berlin sends to the People's Chamber 68 delegates with advisory vote" (Article 49).

162. *August 24, 1950.*—The Western Commandants abolished food rationing in the three Western sectors of Berlin.

163. *August 29, 1950.*—The three Western Commandants approved a draft constitution for West Berlin. (The City Assembly's Constitutional Committee had commenced drafting this constitution on July 20, and the document had been unanimously adopted by the City Assembly on August 4.) Their approval, however, was on condition that (a) the provisions of the May 14, 1949 Statement of Principles would apply to any use by the Berlin City Government of the powers accorded to it in the constitution, (b) Article 1, which declared Berlin to be a Land of the German Federal Republic and declared West German legislation to be binding on Berlin, would be suspended, and (c) individual provisions of West German law would apply to Berlin only when voted by the Berlin City Assembly as provisions of Berlin law (this last condition to apply pending formal extension of the West German Basic Law to Berlin). In connection with their reservations the Commandants issued a statement declaring that these restrictions—

represent merely a clarification of the intent of the Constitution itself and do not in any way detract from its significance as a milestone in the development of self-administration in Berlin.

The Commandants' statement explained that the new constitution accomplished three important purposes:

it gives to the people of Berlin a Constitution developed by their own elected representatives. It thus establishes Berlin still more firmly as a partner in the democratic community, and, finally, it gives Berlin the legal status of a Land as well as of a City.

**164. September 19, 1950.**—The Foreign Ministers of the United States, the United Kingdom, and France, after meeting in New York (September 12-18), issued a communiqué declaring that the Allied Governments would "treat any attack against the Federal Republic or Berlin from any quarter as an attack upon themselves."

The communiqué continued:

The three Governments pay tribute to the continued steadfastness of the people of Berlin in the valiant struggle of the city to preserve its freedom. They will continue to oppose aggression in any form against the people of the City, and are taking steps to strengthen Allied Forces there. In view of the heavy price Berlin has had to pay to defend its freedom, the Governments will continue their efforts to alleviate its economic situation. They have directed the High Commission to review the Statement of Principles governing the relationship between the Allied Kommandatura and Berlin, and to liberalise Allied controls in the city to the maximum extent practicable.

**165. September 21, 1950.**—The East German authorities cut off electric power for West Berlin. A power plant built in West Berlin from Marshall Plan funds took over the power supply load for the three Western sectors of the city. (Exchange of electric current between West and East Berlin recommenced on November 16, under the terms of an agreement signed on November 10 by their respective city administrations.)

**166. September 25, 1950.**—Soviet authorities again interfered with barge traffic from West Berlin to Western Germany. (British officials in the British sector of Berlin retaliated on September 27 by detaining East German barges passing through West Berlin locks. By mutual agreement, both sets of restrictions were lifted on October 5.)

**167. September 28, 1950.**—An electoral law, which had been adopted by the City Assembly on August 4 and approved by the Western Commandants on September 22, was promulgated to apply to the West Berlin elections to be held on December 3. The law called for proportional representation of the parties in the House of Representatives.

**168. October 1, 1950.**—The Constitution for West Berlin which had been approved with certain reservations in final draft by the Western Commandants on August 29 entered into effect. What had formerly been the Magistrat and City Assembly became the Senate and House of Representatives. The Senate functioned as an executive body consisting of the Oberbuergermeister, the Buergermeister (as the Oberbuergermeister's deputy), and the Senators, who served as heads of the administrative departments. The Oberbuergermeister was elected by the House of Representatives, while the Buergermeister and Senators were elected by the House upon recommendation of the Oberbuergermeister.

**169. October 1-December 31, 1950.**—Talks between West and East German representatives for a new interzonal trade agreement to replace the October 8, 1949 agreement (see entries under October 8, 1949 and February 6, 1950) broke down on October 1, 1950. Earlier, on August 11, after agreement in principle on February 25, 1950 to negotiate a new agreement, the 1949 agreement had been extended

to cover all exchanges of goods beyond the June 30, 1950 termination date until final signature of the new agreement or until December 31, 1950, whichever date came first. With the failure to conclude a new agreement, the 1949 agreement was extended again on December 31, to run until March 31, 1951.

170. *October 15, 1950.*—Elections were held throughout the Soviet zone of Germany for representatives to the legislative bodies of the East German "Republic." The candidates on the Communist-sponsored "unity" lists were elected almost unanimously. As had been announced by the Third Bürgermeister of East Berlin on July 28, the Soviet sector of Berlin did not take part in this election.

171. *October 19, 1950.*—The West Berlin City Assembly passed a resolution requesting help from the West German Government in order to cope with the increasing number of refugees from behind the Iron Curtain seeking asylum in Berlin.

172. *December 1, 1950.*—The three Western Commandants rejected the East German National Front's appeal of November 26 which called for a suspension of the forthcoming elections in the three Western sectors of the city, withdrawal of all occupation forces from the city, and the holding of city wide elections in March 1951.

173. *December 3, 1950.*—Elections to the House of Representatives of West Berlin brought 90.4% of the electorate to the polls. Of the total of 200 seats, 73 were reserved for eventual Soviet sector participation, and the remaining 127 were allotted to the three principal parties as follows: 61 to the Social Democrats, 34 to the Christian Democrats, and 32 to the Free Democrats.

174. *December 15, 1950.*—A "Law for the Protection of the Peace", passed by the parliament of the "German Democratic Republic" on December 12, was promulgated and prescribed penalties up to capital punishment for individuals found propagating any form of "aggressive action". The law was applicable, according to the East German authorities, to all Germans, including those in West Berlin and West Germany, and it was used in taking action against citizens of the Western sectors of Berlin and the Western zones of Germany who had been kidnapped by the East German authorities.

175. *February 1, 1951.*—Soviet authorities took over the village of West Staaken, which, since 1945, had been included in the Spandau administrative district of the British sector of Berlin, though it was physically in the Soviet zone of occupation in Germany. (In reply to a protest by the British Commandant of February 4 the Soviet Control Commission, on February 11, indicated that the Soviet authorities intended to retain possession.)

176. *February 9, 1951.*—A provisional interzonal trade agreement to replace the October 8, 1949 Frankfurt agreement (as extended on December 31, 1950) was initialled by West and East German officials. The new schedule called for an exchange of goods totalling DM 340 million in value. (It was agreed on April 27 that this agreement would be valid until July 2, it was subsequently extended to August 2.)

177. *March 6-22, 1951.*—In retaliation for repeated Soviet interference over the previous two months with Berlin barge traffic bound for West Germany, the British Commandant on March 6, with the approval of his American and French colleagues, imposed controls on East German barges passing through the British sector of Berlin.

The Soviet Control Commission protested on March 7, and the British Commandant suggested, on March 13, that both sides discuss steps and conditions under which their respective controls might be lifted. By mutual agreement barge traffic was permitted free passage, beginning March 22. (A formal agreement on the regulation of canal traffic until December 31, 1951 was signed by British and Soviet representatives on May 4. It was extended on November 3, 1951 until the end of 1952.)

178. *March 7, 1951.*—A revision of the May 14, 1949 Statement of Principles was announced by the Western High Commissioners to waive the right of the Western Commandants in Berlin to review legislation passed by the Berlin House of Representatives. The right to review legislation affecting the City's constitution was still reserved to the Commandants, however. The Commandants retained their right to repeal or annul legislative acts, but this right was to be exercised only with respect to inconsistencies between new laws and existing statutes or the Statement of Principles.

179. *May 22, 1951.* A set of strict controls was put into effect in West Berlin to prevent shipments of strategic materials to the Soviet zone. Extra detachments of military police of the Western Powers had arrived in Berlin on May 17 to assist in the enforcement of these controls. (These ordinances were further reinforced on July 15.)

180. *June 11, 1951.* The Economic Cooperation Administration issued its first guaranty of American private industrial investment in West Berlin.

181. *June 16, 1951.*—The Western Commandants in Berlin embargoed the shipment of several categories of materials to East Germany in retaliation for imposition by Soviet authorities earlier in the month of a complicated system of certifications for goods manufactured in West Berlin for export to the West. (Protests by the Western Commandants on June 11 and 15 had brought no relaxation in the new East German restrictions.)

182. *July 9, 1951.*—Talks which had begun on July 5 between representatives of the three Western Berlin Commandants and of the Soviet Control Commission for Germany with a view to arranging the lifting of restrictions on access to West Berlin ended in failure and were indefinitely adjourned.

183. *August 2, 1951.*—All West-East German trade ground to a halt with the expiration of the February 3, 1951 West-East German trade agreement. (An interzonal trade agreement to cover a total exchange of goods in 1951 valued at DM 500 million, initiated on July 6 by representatives of West and East Germany, had not yet entered into effect because of the continuation of Soviet restrictions on access to West Berlin, without the lifting of which the West German Government refused to put the July 6 agreement into force.)

184. *September 1, 1951.*—Soviet authorities in East Germany imposed a heavy road tax on all vehicles licensed in West Berlin and West Germany using the Helmstedt-Berlin autobahn and all other roads in the Soviet zone. (This and similar actions were protested by the three Western High Commissioners on September 7 in letters to the Chairman of the Soviet Control Commission. The road tax was appreciably reduced on September 20 at the same time that a new interzonal trade agreement was signed—see below. The Western protest was answered on October 3 when the Soviet Control Commission

Chairman denied any Soviet responsibility for the conditions which, according to the Soviet authorities, had made necessary these new restrictions.)

185. *September 14, 1951*.—At the conclusion of a meeting in Washington of the Foreign Ministers of the United States, the United Kingdom, and France (held September 10-14), in which the role of the German Federal Republic in the defense of Western Europe was discussed, a communique was issued in which the Foreign Ministers declared that the division of Germany and the security problem confronting the German Federal Republic—

obliges the Allies to retain in the common interest, certain special rights but only in relation to the stationing of armed forces in Germany and the protection of the security of those forces, as well as to questions affecting Berlin and Germany as a whole, including the eventual peace settlement and the peaceful reunification of Germany.

186. *September 18-27, 1951*.—West Berlin's Oberbuergermeister suggested on September 18 that free elections be held throughout Greater Berlin as a preliminary test of the sincerity of proposals made by the East German Minister President on September 15 for a conference of East and West German delegates to consider the arrangements necessary for holding all German elections. The Oberbuergermeister's suggestion was rejected by the East German authorities on September 19 on the grounds that it dealt with "uninteresting parish elections". The West German Bundestag, in a resolution of September 27, also called for free elections in all four sectors of Berlin.

187. *September 20, 1951*.—With the lifting of the road tax on West German and West Berlin vehicles using any of the Soviet zone highways, imposed by Soviet authorities on September 1 (see entry of this date), West German representatives signed with the East German authorities the trade agreement which both had initiated on July 6 (see August 2 entry). The agreement had been revised to fix July 3, 1952 as its termination date and to reduce from DM 500 million to DM 482 million the value of goods to be exchanged. It was understood that the agreement would terminate prior to July 3, 1952 should the East German authorities interfere in any way with the free passage of goods between West Berlin and West Germany.

188. *October 21, 1951*.—East German People's Police evacuated the hamlet of Steinsteucken in the American sector of Berlin which they had taken over on October 18.

189. *November 22, 1951*.—The Foreign Ministers of the United States, the United Kingdom, France, and the German Federal Republic met in Paris to discuss matters relating to the integration of West Germany into the Western European community. They issued a statement which contained the following passages relating to Berlin:

The three powers [the United States, the United Kingdom, and France] will retain only such special rights [in the Federal Republic] as cannot now be renounced because of the special international situation of Germany and which it is in the common interest of the four states to retain. These rights relate to the stationing and the security of the forces in Germany, to Berlin, and to questions concerning Germany as a whole. The mission of the forces stationed in Germany by the three powers will be the defense of the free world, of which the Federal Republic and Berlin form [a] part \*\*\* They [the four Foreign Ministers] reaffirm their intention to strive for the establishment of German unity and agree on the importance of the proposals now before the General Assembly of the United Nations designed to ascertain whether free elections can

be held simultaneously in the Federal Republic, Berlin, and the Soviet zone of Germany.

190. December 31, 1951.—Addressing the people of Berlin over RIAS, the United States High Commissioner declared, in part:

Paralleling our [the Western Powers'] relationship with the Federal Republic we intend to grant to the authorities of this city, control over their own affairs, subject only to the special limitations necessary to preserve our rights to remain in and protect the city \*\*\* The Western Allies are staying in Berlin and the ties between the Federal Republic and this city will not only be maintained but grow ever stronger. Sustained economic aid to Berlin from the Federal Republic during the coming year seems assured \*\*\*

191. January 6, 1952.—To protect the four-power character of the supervision of the City of Berlin the three Western Commandants vetoed a West Berlin law incorporating the railroads of the three Western sectors with those of the Federal Republic.

192. January 9, 1952.—A "Law on the Position of Land Berlin in the System of the Federal Finance Administration" was promulgated at Bonn providing that, retroactive to April 1, 1951, West Berlin would be accorded the same rights and obligations as the West German Laender in relations with the Federal Republic in the field of finance. (This bill had been passed by the West German Bundestag on December 15 and by the Bundesrat on December 24, 1951.)

193. January 17, 1952.—A measure was promulgated by the German Federal Republic modifying Article 26 of the June 15, 1949 Electoral Law to authorize an increase in the number of representatives for Berlin in the Bundestag from 8 to 19. (The bill was passed by the Bundestag on December 18, 1951 and by the Bundesrat on December 20. The additional representatives, including one to represent the Eastern sector of Berlin, were elected by the West Berlin House of Representatives on January 3, 1952.)

194. January 18, 1952.—The Western High Commissioners annulled certain minor provisions of West German legislation which implied that the Basic Law and other West German law applied automatically to West Berlin.

195. February 4, 1952.—The West German Federal Emergency Admission Law became applicable to West Berlin and provided that West Berlin would be responsible for furnishing employment, housing, and social insurance benefits to 20% of all refugees from behind the Iron Curtain who entered the non Communist world via Berlin and who were accepted as bona fide political refugees by the West German Federal Government. In addition, West Berlin was required to provide public assistance to all refugees entering Berlin who were not accepted as genuine political refugees by the Bonn Government. The number of refugees in this "unrecognized" category soon reached 100,000.

196. February 23, 1952.—The United States Government sent a note to the Soviet Government requesting the latter to—

take the necessary measures to control the actions of the German authorities (in the Soviet zone of Germany and the Soviet sector of Berlin) purporting to act on behalf of the Soviet Control Commission—

which actions had in effect involved the confiscation of American property in those two areas. For lack of such controlling measures, the note continued, the United States would have to hold the Soviet

Government responsible for past and future acts of this nature in East Germany and East Berlin.

197 *March 20-April 9, 1952.* A United Nations Commission appointed to investigate the possibility of holding free, all-German elections pursuant to a U.N. General Assembly resolution of December 20, 1951 conducted its investigation in West Berlin (as a part of its investigation in West Germany) from March 20 to 22. Communications sent by the Commission to the East Berlin authorities on February 23, March 10, and March 26, and identical notes sent by the United States, the United Kingdom, and France to the Soviet Government on March 25, failed to obtain for the Commission similar investigation rights in East Berlin (and East Germany). The Soviet Government indicated on April 9, in notes to each of the three Western Powers, that the determination of the existence of satisfactory conditions for holding all German elections should be made by the four occupying Powers.

198. *April 29, 1952.* Two Soviet fighter planes attacked and damaged above Konnern in the Soviet zone of Germany a French airlines plane flying the Frankfurt-Berlin air corridor route. A letter from the Chairman of the Soviet Control Commission, dated April 29, charged that the French craft had violated the rules governing air traffic in the corridor. The Western Commandants in Berlin replied on April 30 that this fact did not justify the firing on a civilian craft in peacetime. They suggested, on May 8, that an investigation of the material damage to the plane be conducted. The investigation was made on May 9, without any participation by the Soviet authorities.

199 *May 1, 1952*—The United Nations Commission appointed to investigate in all four zones of Germany and in all four sectors of Berlin the possibility of holding all-German elections (see March 20-April 9 entry) pointed out in a preliminary report to the U.N. Secretary-General that it had been unable to make arrangements to perform its functions in the Soviet zone of Germany and in the Soviet sector of Berlin. The report stated:

While the Commission has been successful in carrying out its preliminary task in the Federal Republic of Germany and in the Western Sector of Berlin, it has not thus far been able to establish reciprocal contact with the authorities in the Soviet Zone of Germany and in the Eastern Sector of Berlin even by correspondence. The Commission consequently has not thus far been able to make with the authorities concerned in the Soviet Zone of Germany and the Eastern Sector of Berlin the arrangements deemed necessary by it to enable it to undertake its work in accordance with its terms of reference. Bearing in mind the instructive efforts it has made on four separate occasions to appeal to the Soviet Control Commission for Germany to facilitate it in the discharge of its duties, the Commission to its regret, is obliged to conclude that at present there is little prospect of its being able to pursue its work.

(The Commission subsequently adjourned *sine die* on August 5 after informing the U.N. Secretary General that it would "remain at the disposal of the United Nations and all the parties concerned" as long as its mandate remained in force and at such time as any positive results of its work might seem possible.)

200. *May 8, 1952*—Soviet military authorities in East Germany denied clearance to American and British military vehicles using the Berlin-Helmstedt autobahn. (This traffic remained interrupted until May 16.)

201. *May 14, 1952.* —Referring to the recent interference by Soviet and East German authorities with traffic to and from West Berlin, Secretary of State Acheson declared at a press conference:

I think it is well understood \*\*\* that we are determined to maintain our position in Berlin and to assist and protect the interests of the people of Berlin in the Western zone. \*\*\*

202. *May 20, 1952* —The East German authorities raised by 50% the tariff duty on all goods entering the Soviet zone from the West.

203. *May 23, 1952.* —The Soviet Government replied to the American note of February 23 regarding ultimate responsibility for measures taken in East Germany and East Berlin involving the confiscation of American property in these areas. The Soviet note contended that the transfer by the Soviet Control Commission to the "German Democratic Republic" of authority over foreign interests in the Soviet zone of Germany and the Soviet sector of Berlin had been effected under the provisions of Declaration No. 2 of the Allied Control Council for Germany, and that the confiscatory measures taken by the East German and East Berlin authorities with respect to American and other foreign properties in these areas were therefore legal.

204. *May 26, 1952* —The United States, the United Kingdom, France, and the German Federal Republic signed at Bonn a Convention on Relations between the Three Powers and the Federal Republic of Germany to replace the Occupation Statute and to confer full sovereignty (with a few remaining reservations) on the Federal Republic. The Convention provided that the Three Powers retain—the rights, heretofore exercise or held by them, relating to (a) the stationing of armed forces in Germany and the protection of their security (b) Berlin, and (c) Germany as a whole, including the unification of Germany and a peace settlement.

The Convention provided, further, (a) that the armed forces maintained by the Three Powers on Federal territory would have as their mission "the defence of the free world, of which the Federal Republic and Berlin form a part," and (b) that the Federal Republic would continue its "aid to the political, cultural, economic and financial reconstruction of Berlin."

Annexed to the Convention was a "Declaration of the Federal Republic on Aid to Berlin" which spelled out the extent to which the Federal Republic was prepared to assist in the economic and financial recovery of Berlin and to integrate the city's economy with that of the Federal Republic. For their part, the three Western High Commissioners indicated in a joint letter to the Federal Chancellor the extent to which the Western Powers were prepared to relax their May 12, 1949 prohibition on application of the Federal Republic's Basic Law to Berlin to permit and facilitate the implementation of the Federal Republic's "Declaration on Aid to Berlin".

205. *May 27, 1952.* —Following the signature in Bonn of the Contractual Agreements between the three Western Powers and the German Federal Republic and concurrently with the signature of the European Defense Community Treaty in Paris, the three Western Foreign Ministers issued in Paris a Tripartite Declaration which contained the following reference to Berlin:

The security and welfare of Berlin and the maintenance of the position of the three powers there are regarded by the three powers as essential elements of the peace of the free world in the present international situation. Accordingly, they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

In retaliation for the signature of the Contractual Agreements at Bonn, East German authorities cut all telephone communication lines between West Berlin on the one hand and the Soviet zone of Germany and the Soviet sector of Berlin on the other and announced the complete closing down of the borders between West and East Germany and between the Western and Eastern sectors of Berlin. (The border closings, supplemented by military measures, went into full effect on June 1. Protests of the Western High Commissioners on May 30 were rejected by the Soviet Control Commission on June 19.)

206. *June 10, 1952.*—In response to a complaint made by Oberbürgermeister Reuter on June 5 in an address to the West Berlin Senate to the effect that West Germany had been neglecting Berlin, particularly in the economic field, during the long negotiation of the Contractual Agreements, West German Chancellor Adenauer told the Bundestag that West German businesses would be urged to place more contracts in Berlin, that the transfer of Federal agencies to Berlin would again be considered, and that Berlin's food stocks would be increased. These proposals were supported by appropriate resolutions voted in the Bundestag on this date. (A conference of business representatives from some 420 West German cities was opened in Berlin on July 14 with 100 representatives of West Berlin manufacturers to consider measures to increase the number of West German contracts in Berlin.)

207. *June 27, 1952.*—The East German authorities passed an ordinance requiring all Germans owning or working property in the Soviet zone to reside in the Soviet zone or in the Soviet sector of Berlin. (This regulation was supplemented on July 3 by a refusal to acknowledge as residents of the Soviet zone or of the Soviet sector individuals who supported a residence in East Germany and lived in West Germany.)

208. *June 29, 1952.*—Speaking at a ceremony for the laying of the cornerstone of the American Memorial Library in West Berlin, Secretary of State Acheson said:

We [the three Western Powers] have given notice, in plain and unmistakable language, that we are in Berlin as a matter of right and of duty, and we shall remain in Berlin until we are satisfied that the freedom of this city is secure. We have also indicated in unmistakable terms that we shall regard any attack on Berlin from whatever quarter as an attack against our forces and ourselves.

209. *July 8, 1952.*—Dr. Walter Linse, a resident of the American sector of Berlin, was abducted by unidentified persons and carried into the Soviet sector. The American Commandant in Berlin promptly protested to the Soviet authorities. (The U.S. High Commissioner also protested this action on July 11 and July 31. The Chairman of the Soviet Control Commission finally replied on August 21, denying any knowledge of the case but agreeing to the holding of a joint inquiry. The Soviet authorities took no steps, however, in this direction. On November 21 and again on December 10, the U.S. High Commissioner reminded the Soviet authorities of their agreement to an inquiry, without result. On November 13, mean-

while, the Police President of West Berlin announced the results of a four-month investigation, identifying Dr Linse's abductors as "four East Berliners who had been convicted previously of charges of murder, burglaries, embezzlement, and safecracking," and as part of a criminally organized and criminally subsidized ring of kidnappers approved, sponsored, and directed by the German Democratic Republic Ministry for State Security \* \* \*, an integral, thriving organ of the Russian Police State.)

(The abduction of Dr. Linse and other incidents of this kind were allegedly "legal" actions, according to the East German authorities, under the "Law for the Protection of the Peace", promulgated on December 15, 1950.)

210. *July 18, 1952*—The United States and the German Federal Republic signed in Bonn an agreement for financing certain educational exchange programs and for establishing a United States Educational Commission in the Federal Republic of Germany. The agreement applied to West Berlin and, with respect to the composition of the Commission, Article IV provided:

The Commission shall consist of ten members, five of whom shall be citizens of the United States of America, and five of whom shall be Germans having their permanent residence in the Federal Republic of Germany and/or the Western Sector of Berlin.

211. *August 1, 1952*.—Concurrently with the announcement of a new interzonal trade agreement between West and East Germany (see September 20, 1951 entry) which called for an exchange of DM 207 million-worth of non-strategic goods, the Chairman of the Soviet Control Commission protested to the Western High Commissioners the imposition of strategic controls on East-West trade in Germany, particularly with respect to steel, as a violation of the 1949 Paris agreement which ended the Berlin blockade. (This charge the Western High Commissioners denied on August 20.)

212. *October 1, 1952*—In a letter to the three Western High Commissioners for Germany, the Commander-in-Chief of the Soviet Occupation Forces in Berlin "categorically" demanded—

the immediate closing of all the espionage-diversionist and terrorist centers located within the U.S., British and French sectors of Berlin, and the discontinuance of their criminal activities against the German Democratic Republic and the Eastern sector of Berlin.

The Soviet Commander based his charges on findings obtained in a series of—

trials undertaken recently in Berlin, Dresden, Leipzig, Halle, Potsdam and other cities, against terrorist and diversionist bands seized in the act of committing criminal acts on GDR [German Democratic Republic] territory and in the Eastern sector of Berlin \* \* \*.

(In their reply on November 3, the Western High Commissioners pointed out that the activities of the organizations in West Berlin referred to by the Soviet Commander had "no concern with spying, diversionism, or terror." "These organizations," they continued, "would not be necessary and would cease to exist if basic human rights, such as freedom of speech, freedom of movement, and freedom from arbitrary arrest existed in the Soviet zone and Eastern Berlin.")

213. *October 8-16, 1952*—Two Soviet MIG-15's "buzzed" and fired upon an American hospital plane flying the Frankfurt-Berlin air cor-

ridor. A protest by the American Commandant in Berlin elicited a counter-protest on October 10 from the Soviet Deputy Chief of Staff in Germany, who charged that the American plane had violated the air corridor. The American Commandant replied on October 16 that weather conditions had forced the hospital plane somewhat off course but that the Soviet fighter attack was a gross violation of agreed regulations applying to air traffic in the corridor.

214. *October 29, 1952.*—The British-Soviet agreement on regulations to control barge traffic between West and East Germany on canals passing through the Soviet zone of Germany and the British sector of Berlin (see March 6-22, 1951 entry) was renewed to December 31, 1953.

215. *November 4, 1952.*—The West German Chancellor, in a letter to a conference of the West German Social Democratic Party, outlined the progress in Berlin's economic recovery and the measures taken by the Federal Government to speed this progress. He rejected the plea voiced by West Berlin's Oberbürgermeister on October 31 that West Berlin should take part in the 1953 elections to the Bundestag and send directly elected representatives to that body. The Chancellor pointed out that to do this would be contrary to agreements between the Federal Republic and the three Western Powers on the status of Berlin.

216. *December 3-8, 1952.*—Enforcing a prohibition (Nov. 27) on purchases of food and "industrial articles" in East Berlin by non-residents of the Soviet sector, East German authorities held up road traffic from the Eastern to the Western sectors of the city in order to inspect vehicles for "illegal" purchases. This practice was dropped December 8, after protests by the Western Commandants.

217. *January 16, 1953.*—The United States informed the Soviet Union that it would hold the Soviet Government, not the "German Democratic Republic", responsible for any damages to American property in the Soviet zone of Germany and the Soviet sector of Berlin. (See entries of February 23 and May 23, 1952.)

218. *February 13, 1953.*—The Government of East Berlin was reorganized according to the standard Communist pattern, a 130-member People's Assembly replacing and taking over the functions of all previously separate legislative, administrative, and judicial bodies.

219. *February 18, 1953.*—On his first visit to Berlin as United States High Commissioner for Germany, James B. Conant told the people of Berlin in a radio address:

The new administration in Washington will not abandon Berlin. The United States is pledged to do its part to see to it that this city continues as an unshaken outpost of the Western world. We shall continue to insist on the free circulation [of goods and persons] throughout the entire city. We shall continue to fulfills our duties and to maintain our rights. \* \* \* I have come to Berlin to remind the Berliners once again that they are in no sense inhabitants of a forgotten city \* \* \*

He reminded Berliners that whenever the Contractual Agreements with West Germany and the European Defense Community treaty (currently being negotiated) had been ratified, Berlin, would remain "the responsibility of the United States, France and Great Britain." "But as the strength of a new Europe develops," he continued, "and the new idea of European unity proves its worth, changes must certainly occur. The frontiers of freedom will peacefully expand and Berlin will then no longer be an isolated citadel." "Until this time

comes," he concluded, "the insurance of its freedom and industrial prosperity must depend on the strength of the Western World, and that strength will not fail."

220. *February 27, 1953.*—The three Western Powers and the German Federal Republic signed in London an Agreement on German External Debts, the application of which to Berlin was postponed, in Article V, paragraph 5, "until such time as negotiations on the settlement of these debts are considered \*\*\* to be practicable." (See August 15, 1955 entry.)

221. *March 12, 1953.*—Having earlier in the day threatened a British bomber on a training mission over Kassel in the British zone of Germany, two Soviet MiG-15's shot down a British Lincoln bomber, also on a training mission, over the Elbe River in the Hamburg-Berlin air corridor. The British Government formally protested the incident and announced that thenceforth all British training craft would be armed and given fighter escort, if necessary.

The Chairman of the Soviet Control Commission expressed regret over the loss of lives in the incident but charged that the British bomber had been way off course. He suggested a conference in Berlin between British and Soviet representatives to arrange to avoid future incidents of this kind. (Secret talks began in Berlin on March 31.)

222. *April 9, 1953*—West German Chancellor Adenauer and Secretary of State Dulles exchanged notes in Washington to "foster mutual understanding of the intellectual, artistic, scientific and social lives of the peoples of the two countries." It was agreed that

This understanding shall be applicable also in the territory of Berlin as soon as the Government of the Federal Republic of Germany makes a conforming declaration to the Government of the United States of America.

(This "conforming declaration" was transmitted to the United States Government on October 2.)

At the conclusion of talks held by West German Chancellor Adenauer in Washington, a communiqué was issued which contained the following paragraph relating to Berlin:

Consideration was given [by the Secretary of State and the German Chancellor] to the special situation of Berlin and admiration expressed for the political firmness and courage of its inhabitants. It was agreed that the moral and material support needed to keep the city strong in a matter of primary importance. The Chancellor indicated that he had in mind further measures to increase production and reduce unemployment. The Secretary stated that consideration was now being given to assistance by the U.S. Government to investment and other programs to improve economic conditions in Berlin.

223. *June 3, 1953.*—The United States and the German Federal Republic signed in Bonn an agreement concerning the application of the December 8, 1923 Treaty on Friendship, Commerce and Consular Rights (as amended by the agreement of June 2, 1953). (In accordance with the terms of the agreement, it entered into force with respect to Berlin when the Bonn Government, on March 1, 1955, notified the United States that "all legal procedures in Berlin necessary therefor" had been complied with.)

224. *June 16-17, 1953.*—A series of disturbances took place in East Berlin as a result of local dissatisfaction with the Communist regime. These protest demonstrations began with a strike and protest parade of some 5,000 East Berlin construction workers, goaded into action

by publication of a city ordinance which called for a 10% work-quota increase, and the movement grew into a sizable revolt as 20,000 to 50,000 other East Berlin workers joined in the demonstration and approximately 200,000 workers in East Germany went on strike. The uprising was put down by force with the aid of Soviet tanks, and the Soviet authorities proclaimed martial law in East Berlin.

Realizing the serious import of the uprising, the Communist authorities revoked on June 28 a set of "socialization" reforms promulgated on June 9 and also eased some travel and rationing restrictions and tax collecting procedures. Simultaneously, the collectivization of farms was stopped, a number of nationalized factories were returned to private ownership, arrangements were made for discussion of workers' complaints, and provisions were made for the production of more consumer goods and an increase in trade with West Germany.

225. *June 17-24, 1953*.—The three Western Commandants issued a statement on June 17 categorically denying Soviet charges that the Berlin uprising had been incited by "agents provocateurs" from West Berlin. In addition, they sent a formal communication to the Chairman of the Soviet Control Commission expressing "grave concern" over the events which had taken place in Berlin, condemning the "irresponsible recourse to military force" in suppressing the uprising, and demanding that "the harsh restrictions imposed on the population be lifted immediately and that free circulation within Berlin be reestablished."

The Soviet Commandant in Berlin replied on June 20, calling the Western Commandants' protests "devoid of any basis." In response the Western Commandants insisted, on June 24, that "the remaining restrictions imposed on the Berlin population be lifted and that the steps \*\*\* already taken to re-establish circulation within Berlin be carried to their logical conclusions, free and unfettered movement between all sectors." "We on our side," the Western Commandants' letters continued, "shall continue as always to fulfill our responsibility for the maintenance of law and order in our sectors, and we are ready to do our part in reestablishing normal conditions of life throughout the whole city."

226. *July 11, 1953*.—The Soviet Government rejected outright an American plan to deliver American food supplies in the Soviet zone of Germany and the Soviet sector of Berlin. (The American plan, presented by the United States Chargé d'Affaires in Moscow on July 10, had been advanced in response to an invitation of July 4 from West German Chancellor Adenauer to the United States to take part in a campaign of supplying food for the Soviet-controlled areas of Germany which was being conducted in West Germany as a result of a Bundestag resolution of July 1.)

227. *July 26, 1953*. As a result of the refusal of the Soviet Government on July 11 to permit the distribution of food from outside sources in the Soviet zone of Germany and the Soviet sector of Berlin, a program of food distribution was launched in West Berlin for the benefit of those East Germans who could cross into the Western sectors of the city to receive the packages. (The program was operated successfully until August 10, when a pause for reorganization became necessary, and from August 15 to October 10.)

228. *August 1, 1953*.—The East German Minister of Railways prohibited rail travel from East Germany to Berlin, in an effort to di-

minish the success of the West Berlin program for delivery of food to East Germans.

229. *August 26-September 17, 1953.*—The three Western High Commissioners for Germany addressed similar notes to the Soviet High Commissioner suggesting the removal of zonal barriers and the establishment of freedom of movement between the Soviet and the Western zones of Germany. They proposed that "the necessary administrative arrangements" be made in the Soviet zone "so that German Nationals residing in Berlin, the Soviet zone and the Western zones of occupation will be able to travel freely between and through these zones of Germany and Berlin on the simple presentation of their identity cards." When this was done, the Western High Commissioners said, the interzonal pass requirements of the other zones would be waived.

In reply, the Soviet High Commissioner observed, on September 1, that such a matter should better be referred to the West and East German authorities for settlement. The Western High Commissioners retorted, on September 17, that "the interzonal pass system was established by quadripartite agreement and that therefore the waiver of this requirement is a matter falling solely within the authority of the occupation powers."

230. *October 22, 1953.*—The West Berlin House of Representatives elected Walter Schreiber (Christian Democrat) Oberbuergermeister to succeed Ernst Reuter, who had died on September 29. (The new Senate was not formed until November 12, when the Social Democratic Party, after a long dispute over the number of seats to be allotted its members, withdrew from the Government coalition, thereby permitting the composition of a Senate of Christian Democrats and Free (Liberal) Democrats.)

231. *December 17, 1953.*—The West Berlin House of Representatives unanimously approved a resolution requesting the Western Commandants in Berlin to initiate talks with their Soviet counterpart to remove existing barriers to freedom of movement between the Western and Eastern sectors of the city. (See August 26-September 17 entry.)

232. *December 31, 1953.*—The West Berlin House of Representatives rejected an appeal by the Buergermeister of East Berlin for talks between representatives of the two sectors to promote a wider discussion by the Four Powers regarding the German problem at the forthcoming Foreign Ministers conference in Berlin. The Speaker of the House pointed out that the West Berlin legislature was the only freely elected body in the city and therefore the only one competent to represent the city's voters at any higher level.

233. *February 19, 1954.*—The Foreign Ministers of the United States, the United Kingdom, and France issued a separate communiqué, following the failure of the Four-Power Berlin Conference (January 25-February 18) to reach agreement on Germany, declaring, with respect to Berlin:

the Three Governments reaffirm their abiding interest in the security of the city as expressed in the Tripartite Declaration of May 27, 1952. They will do all in their power to improve conditions in Berlin and to promote the economic welfare of the city.

234. *February 22-June 23, 1954.*—The Western High Commissioners on February 22 proposed to the Soviet High Commissioner

a relaxation of the restrictions on freedom of movement between East and West Germany and between East Berlin and West Berlin. (See December 17, 1953 entry.)

The East German Minister-President told the People's Chamber on February 24, however, that such negotiations should be handled by the two German regimes rather than by the Four Powers. Similarly, the Soviet Control Commission, responding to the Western authorities on March 6, suggested the establishment of two East German-West German committees to handle technical and cultural aspects of the problem. To this the Western High Commissioners replied, on March 17, that the Soviet suggestions avoided the issue of direct measures, many of which would have to be taken by the Soviet authorities alone, since no corresponding restrictions prevailed in West Germany and West Berlin.

Replying on April 18, the Soviet High Commissioner held to his suggestion that joint committees be set up by West and East Germany. He charged, also, that the "criminal organizations" in West Berlin, which, he alleged, were "plotting" against the East German regime, had not yet been disbanded by the Western authorities. The Soviet proposals for the establishment of East German-West German committees were rejected by the Western High Commissioners on May 24, when they pointed out that neither the Western Powers nor West Germany recognized the East German authorities as a "government" and that they continued to regard the Soviet Union as responsible for conditions and developments in East Germany. They then repeated their own earlier proposals respecting steps to ease interzonal and intersector restrictions.

On June 23, East German authorities took a small step by lifting a number of travel restrictions which had been imposed on the inhabitants of the 5-kilometer wide buffer zone created in 1953 along the frontier between East and West Germany.

**235. February 26, 1954**—The East Berlin "Magistrat" called for (a) abolition of the 1949 Statement of Principles for West Berlin, (b) exclusion of Greater Berlin from the scope of the Contractual Agreements and the European Defense Community Treaty, (c) abolition of all "sabotage" centers in West Berlin, (d) freedom of association of all parties and mass organizations throughout Berlin, and (e) implementation of certain nationalization provisions and confiscation laws (relating to former Nazi holdings) in West Berlin—as steps to normalize relations between the two halves of Berlin.

**236. March 25, 1954**.—The Soviet Government issued a statement purporting to grant to East Germany status as a sovereign republic. On the surface the provisions of this announcement followed in a general way the pattern established in the Contractual Agreements between the United States, the United Kingdom, France, and the Federal Republic of Germany signed at Bonn on May 26, 1952 the entry into force of which was awaiting the signature and entry into force of the treaty establishing the European Defense Community.

**237. March 30, 1954**.—The East German authorities announced that, in view of the near complete "sovereignty" granted to the "German Democratic Republic" by the Soviet Union on March 25, all missions of the Western Powers in East Germany and East Berlin which had been functioning and stationed in East German territory as agents of the Four-Power Control Council would henceforth

be obliged to accredit themselves to and be approved by the East German authorities. (This determination was officially communicated to the three Western High Commissioners by the Soviet High Commissioner on April 15.)

(The West German Bundestag unanimously adopted a resolution on April 7 withholding recognition of the "sovereignty" granted to the East German regime, and the three Western High Commissioners in Bonn issued a statement of similar intent on behalf of their respective Governments on April 8.)

238. *April 18, 1954.*—Dr. A. Truchnovic, of the White Russian emigrants' organization in Berlin, and Heinz Glaske, local chairman of the Returned Prisoners' Association, were kidnapped by Soviet agents in the British sector of Berlin. (The three Western Commandants protested this action to the Berlin Representative of the Soviet Control Commission on April 15. The latter replied, on April 30, that Dr. Truchnovic had "voluntarily" handed himself over to the Soviet authorities. On May 6 the East German Ministry of the Interior announced that it had arrested Glaske as an agent of the Von Gehlen "espionage agency".)

239. *July 17-20, 1954.*—As a gesture of "symbolic importance", the West German Electoral College met in Berlin to re-elect Theodore Heuss President of the Federal Republic. President Heuss and Chancellor Adenauer then continued a state visit in West Berlin.

240. *September 17, 1954.*—At ceremonies on the occasion of the opening of the American Memorial Library in Berlin, the U.S. High Commissioner for Germany said, in part:

We all are looking forward with confidence to the day when Berlin will resume its proper position and again become the capital of a Germany reunited in peace and freedom. Until that day it will remain the duty of the free world, especially of the Federal Republic and the three protecting powers which are present here, to do everything to reinforce and support Berlin as a symbol of liberty. This applies not only to the economic and military spheres but also to the intellectual sphere.

241. *September 28, 1954.*—The Foreign Ministers of the United States, the United Kingdom, and France, in the course of the Nine-Power London Conference on Germany and European security (September 28-October 3), issued a joint declaration, paragraph 5 of which pertained to Berlin and read:

The security and welfare of Berlin and the maintenance of the position of the Three Powers there are regarded by the Three Powers as essential elements of the peace of the free world in the present international situation. Accordingly they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

(This declaration was incorporated into the Final Act of the conference, published on October 3.)

242. *October 17, 1954.*—Elections for the East German People's Chamber took place throughout the Soviet zone of Germany and the Soviet sector of Berlin. In East Berlin, according to Communist figures, 97.7% of the electorate participated and almost unanimously supported the Communist-dominated National Front lists of candidates.

243. *October 23, 1954.*—The Foreign Ministers of the United States, the United Kingdom, and France issued a statement on Berlin at the

Paris Conference on the establishment of a Western European Union (October 20-23) which read:

With respect to Berlin, in addition to the Allied security guarantees for the city in the London communiqué of October 3, 1954 [see entry of September 28], the Foreign Ministers of France, the United Kingdom and the United States have noted with deep satisfaction the close and friendly cooperation between the Allied and Berlin authorities. The Three Powers are determined to insure the greatest possible degree of self-government in Berlin compatible with Berlin's special situation. Accordingly, the three Governments have instructed their representatives in Berlin to consult with the authorities of that city with a view to implementing jointly and to the fullest degree possible the foregoing principles.

244. December 5, 1954.—Elections in West Berlin gave the Social Democrats 64 seats in the new House of Representatives, the Christian Democrats 44, and the Free (Liberal) Democrats 19. (The House held its first meeting on January 2, 1955 and elected Otto Suhr Oberbürgermeister.)

245. March 30-May 20, 1955.—Despite Western protests, the East German regime imposed and maintained in force drastically increased tolls on Western German vehicles using highways in the Soviet zone. The increase, running from 100% to 1000%, did not apply to Allied vehicles using the Helmstedt-Berlin autobahn. The new rates were announced March 30, effective April 1. The three Western High Commissioners protested on March 31 and April 15, on the latter date suggesting a meeting in Berlin of the four High Commissioners. The West German authorities, on April 1 and 14, requested consultations with the East German authorities but without success. The four High Commissioners held a meeting on the problem on May 20, but at the meeting the Soviet Commissioner insisted that the problem should be discussed by the East and West Germans, not by the Four Powers.

246. May 5, 1955.—With the deposit of the requisite number of instruments of ratification, the October 1954 Paris Agreements entered into force, resulting in the admission of the Federal Republic of Germany to the North Atlantic Treaty Organization and the termination of the occupation regime in the Federal Republic; the three Western Powers revoked the Occupation Statute, and the German Federal Republic became a sovereign state.

247. August 15, 1955.—The German Federal Government informed the three Western Powers that agreement had been reached between the Berlin Senate and the Bonn Government that it was now "practicable" to negotiate a settlement of the external debts of the City of Berlin under the February 27, 1953 External Debt Agreement. (In notes dated January 8, 1956, the three Western Powers agreed to these negotiations.)

248. September 14, 1955.—The Soviet Government accorded full diplomatic recognition to the German Federal Republic at the conclusion of talks begun in Moscow on September 9 with West German leaders. (The Soviet Union had previously, on January 25, terminated its state of war with Germany while reserving to itself the rights and duties with respect to Germany specified in the Yalta and Potsdam agreements of 1945.)

In agreeing to the establishment of formal diplomatic relations with the Soviet Union, the German Federal Chancellor informed

the Chairman of the Soviet Council of Ministers that this step did not—

constitute a recognition of the present territorial status on both sides, the final delimitation of the German borders [being] reserved to the Peace Treaty—and that it did not mean "a revision of the legal point of view of the Federal Government regarding its powers to represent the German nation in international affairs and with respect to the political conditions in those German territories which are at present outside of its effective sovereignty."

*249. September 20, 1955.*—East German and Soviet officials signed in Moscow a treaty purporting to grant the "German Democratic Republic" a status comparable to that which the Western Powers accorded the German Federal Republic in the 1954 Paris Agreements. The Soviet-East German treaty specified that the—

German Democratic Republic is free in its decisions upon questions of its interior politics and foreign politics, including its relations with the German Federal Republic, as well as of a development of relations with other states.

Under the treaty Soviet troops in East Germany were to remain "temporarily".

In a supplementary exchange of letters of the same date, the Soviet Union transferred to East German officials control over East German borders with the Federal Republic of Germany and with West Berlin and over access to and from West Berlin, except with respect to the movement of "personal and materiel of the troops of the United States, Great Britain, and France in West Berlin," which would "temporarily be exercised by the command of Soviet troops in Germany, pending the conclusion of an appropriate agreement."

Simultaneously with the signature of the treaty and exchange of letters, the Soviet Government issued a decree abolishing the post of Soviet High Commissioner to Germany, stating that—

the functions of maintaining the corresponding relations in the German Democratic Republic with the representatives of the United States, Britain, and France on questions touching Germany as a whole emanating from the decisions of the Four Powers have been bestowed upon the U.S.S.R. Ambassador in the German Democratic Republic.

*250. September 28, 1955.*—Commenting in New York on the September 20 agreements between East Germany and the Soviet Union, the Foreign Ministers of the United States, the United Kingdom, and France emphasized that—

these agreements cannot affect the obligations or responsibilities of the Soviet Union under agreements and arrangements between the Three Powers and the Soviet Union on the subject of Germany and Berlin. The Soviet Union remains responsible for the carrying out of these obligations.

(These views were communicated by the three Western Powers to the Soviet Government in identic notes on October 3.)

*251. October 18, 1955.*—The Soviet Government replied to the Western Powers' notes of October 3 (see entry under September 28) and pointed out that

In concluding the treaty with the German Democratic Republic, the Soviet Government at the same time made the decision on the abolition of the function of the High Commissioner of the U.S.S.R. in Germany, and also on the termination of the validity on territory of the German Democratic Republic of

laws, directives, and decrees of the former Control Council in Germany issued by the occupying powers in the course of exercising rights of occupation of Germany. \* \* \* In signing the treaty \* \* \* the parties proceeded from the premise that the German Democratic Republic exercises its jurisdiction on territory under its sovereignty, which, of course, also applies to communications on that territory.

As for control over the movement between the German Federal Republic and West Berlin of military personnel and freight of garrisons of the U.S.A., Great Britain, and France, quartered in West Berlin, in negotiations between the Governments of the U.S.S.R. and the German Democratic Republic, it was stipulated that this control would henceforth be carried out by the command of the Soviet military forces in Germany temporarily until the achievement of a suitable agreement.

It is self-understood that, in concluding the above-mentioned treaty, the Governments of the Soviet Union and the German Democratic Republic took into consideration the obligations which both have under existing international agreements relating to Germany as a whole.

252. *October 24, 1955*.—On the occasion of a ceremony in Berlin on the fifth anniversary of the installation of the Freedom Bell, President Eisenhower sent a message which read, in part:

I give you my assurance of the continued concern of my country for the well-being of the City, and our firm support for the unity of Berlin, and of all Germany.

253. *October 27, 1955*.—The Western Powers, in reply to the Soviet note of October 18, reiterated that the September 20 agreements between the German Democratic Republic and the Soviet Union—

can in no way be regarded as releasing the Soviet Government from its obligations under existing Four-Power Agreements, and in particular its responsibility for ensuring the normal functioning of communications between the different parts of Germany including Berlin.

254. *November 29, 1955*.—The United States Commandant in Berlin delivered a note to the Military Commandant of the Soviet sector of Berlin strongly protesting the action on this date of the East German People's Police in detaining for a period of four hours two United States Congressmen, the wife of one of the Congressmen, and an officer of the United States Army on charges that the party had violated the laws of the "German Democratic Republic" which prohibited foreigners from maintaining and operating radio transmitters in vehicles.

I expect you to take immediate measures,  
the American Commandant said

to prevent a repetition of such incidents which, I am sure you must agree, are a violation of the established policy of free circulation in Berlin. In the meantime, I do not intend to alter the practice of maintaining radio transmitters in vehicles of the Berlin Command entering the Soviet sector of Berlin, nor do I intend to tolerate any further molesting of United States personnel by members of the People's Police.

255. *December 1, 1955*.—The three Western Ambassadors to the Federal Republic of Germany protested to the Soviet Ambassador in the German Democratic Republic the November 29 incident and its implications, pointing out that the incident represented "interference with the freedom of Allied circulation in Berlin and \* \* \* grossly discourteous and threatening conduct displayed toward United States citizens by persons acting under Soviet authority and control." The three Ambassadors referred to "the quadripartite status of Berlin" and to the "well known" attitude of their Governments "to the so-

called German Democratic Republic", and they declared that the three Governments "must continue to hold the Soviet authorities responsible for the welfare and proper treatment" of all their citizens "during their presence in those areas, including the Soviet sector of Berlin, which are subject to Soviet authority and control."

*256. December 14-16, 1955.*—In reply to the three Western Ambassadors' communications of December 1, the Soviet Ambassador to the German Democratic Republic spelled out in more detail the September 20 East-West border control arrangements between the Soviet Union and East Germany, saying:

From the \* \* \* [September 20] treaty and the documents relating to it \* \* \* it can be seen that the German Democratic Republic exercises the guarding and control on the borders of the German Democratic Republic, the line of demarcation between the German Democratic Republic and the German Federal Republic, on the outer ring of Greater Berlin, in Berlin, as well as on the lines of communication between the German Federal Republic and West Berlin.

In this connection it is well known that agreements exist between the Governments of the Soviet Union and the German Democratic Republic that the control of traffic of armed forces personnel and freight of the garrisons of the United States, Britain and France stationed in West Berlin between the German Federal Republic and West Berlin will be exercised temporarily, until conclusion of an appropriate agreement, by the command of the group of Soviet forces in Germany.

The Western Ambassadors responded on December 16 that they continued—

to hold the Soviet Government responsible for the obligations assumed by it under quadripartite agreements on the subject of Germany, including Berlin

*257. December 16, 1955.*—At the conclusion of the regular December Ministerial Session of the North Atlantic Council in Paris, a communiqué was issued in which the Council—

reaffirmed that they consider the Government of the Federal Republic as the only German Government freely and legitimately constituted and therefore entitled to speak for Germany as the representative of the German people in international affairs, it stressed once again that the security and welfare of Berlin should be considered as essential elements of the peace of the free world in the present international situation; it urged the importance of consulting further within NATO on the question of German reunification and on the situation in Berlin.

*258. February 1, 1956.*—Concluding talks begun on January 30, President Eisenhower and British Prime Minister Eden issued a joint statement which included a renewed pledge concerning Berlin, as follows:

We reaffirm our abiding interest in the security and welfare of Berlin. We shall continue, as we have stated in the past, to regard any attack against Berlin from any quarter as an attack upon our forces and ourselves.

*259. February 10, 1956.*—The three Western Ambassadors delivered to the Soviet Ambassador to the German Democratic Republic identical notes protesting the arming of civilian and para-military units by the East German and Soviet authorities in the Soviet sector of Berlin in contravention of quadripartite agreements. Each note concluded:

As you are aware, the bearing of arms by members of the general public is prohibited by a body of quadripartite legislation to which the British, French and United States commanders attach great importance and which they have been careful to observe in their sectors. My Government hopes that the Soviet Government as the responsible authority will prevent the local authorities in the Soviet sector from creating dangers to the peace of Berlin through the

sponsorship of activities by armed civilian groups or through other threats directed at the Western sectors.

**260. March 15, 1956**—A federal law to regulate the 1957 elections was approved by the Bundestag. It was recognized in the law that the three Western Powers intended to continue to suspend those provisions of the basic law which would incorporate Berlin into the Federal Republic; accordingly, the law provided, as a transitional measure, that the 22 deputies from Berlin to the Bundestag would be elected by the Berlin House of Representatives, rather than by direct popular vote.

The election law did not effect the special status of Berlin nor change the procedures for designating the Berlin deputies to the Bundestag nor after their non-voting status in the Bundestag.

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